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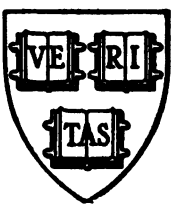

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The Municipal Records of the Borough of Shaftesbury. A contribution to Shastonian History.

Sherborne

1889.

A rare tract: valuable for its lists of local names, & pictures of municipal life & administration.

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THE

MUNICIPAL RECORDS

OF THE

BOROUGH OF SHAFTESBURY

A Contribution to Shastonian History

BY

CHARLES HERBERT MAYO, M.A.,

Vicar of Long Burton with Holnest, Dorset, and Rural Dean of the Stalbridge Portion of the Shaftesbury Deanery, Author of "Bibliotheca Dorsetiensis."

SHERBORNE:
J. C. SAWTELL, THE PARADE,
1889.

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PREFACE.

In the month of July, 1887, the opportunity was afforded me, through the courtesy of the Mayor and Council of the town of Shaftesbury, of inspecting the Municipal Records of that ancient Borough. These documents, upwards of three hundred in number, were lying in an Oak Chest, in the Guild Hall, without any form of arrangement, and in a condition which practically rendered it impossible to consult them with any advantage. As the Council, at a meeting held on the 3rd of August in that year, accepted my offer to Calendar the contents of this Chest, I proceeded, in the course of several visits to the town,* in that and in the succeeding month, to classify these documents under several heads, which I have styled A., B., C., D , E., leaving one other division, F., for such miscellaneous papers as could not readily be reduced under any of the former sections. To each document I affixed a small label, bearing the letter of the Class to which it belonged, together with the distinguishing number, thus, A.2, B.7, C.18, and so on, as the case might be, referring to the Calendar since offered for the acceptance of the Borough. The numbers under each letter are as follows :

*Through the kindness of the Corporation, I have also been enabled to to examine the greater number of the documents at leisure at my own home.

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A. Royal Grants and Charters to the Borough, and other papers or copies of Documents, bearing upon the Privileges of the Town 17

B. Court Rolls 10

C. Rolls of Accounts 19

D. Charters of Feoffment and other Instruments, ranging from 1331 to 1641 100

E. Papers relating to Suits at Law and Equity, from 32 Eliz., to 15 Car. I. 162

F. Miscellaneous Documents 12

Total..320

For better preservation in the future, I placed the older and smaller documements in three wooden boxes, each separately labelled, which now repose in the Chest, and their contents are thus secured from falling again into their former state of chaos.

Box No. I. contains Class A., 1 to 13 inclusive, (omitting A.14, 15, 16 and 17) and class F., 1 to 10 inclusive, (omitting F.4, 11 and 12.

Box No. II. contains the whole of Class B., and Class C., 1 to 18 inclusive (omitting C.10, 14, 16 and 19).

Box No. III. contains the whole of Class D.

In the open space of the Chest lie the Legal papers comprised in Class E., tied in bundles (each bundle referring to a distinct suit, and bearing a large label on which I have written the name of the Action), together with those documents, belonging to the other sections, which were too large to be placed in the three boxes above mentioned. It will thus be a matter of comparative ease to consult these records on future occasions, as the reader of the Calendar will ascertain at a glance, where to

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look for the Class of documents of which he is in search, and will find a label affixed to each parchment or paper, bearing a number corresponding to that in the list before him. This Calendar gives a description of each document sufficient to render its identification certain, and in most cases is full and complete enough to impart to the reader a fair idea of the contents and value of the records described. Especial attention has been paid to the Charters of Feoffment, and other documents contained in Class D., and by giving a summary of their contents, with the names of the Grantors, Grantees, and Witnesses, I have rendered it as a rule unnecessary for subsequent enquirers to incur the labour of a personal examination.

In the Report which accompanied the Calendar, and which is now printed with considerable additions, I have called attention to the salient points of interest contained in the six several sections under which I have classified the records, and I have endeavoured to show how the documents in question illustrate the History of the Borough, and exhibit in fuller detail some matters which are but briefly treated in Hutchins's History of Dorset. I need hardly say that the preparation of this Calendar* and Report has been a work of no little labour, but I shall feel amply rewarded for the task if I have thus contributed to the promotion of a just estimate of the value of the documents, and to the growth of a loving spirit of solicitude for their preservation: and I have much pleasure in dedicating the present volume

MAJORI ET BURGENSIBUS
BURGI SHASTON ALIAS SHAFTESBURY.

*This Calendar remains in MS., in the hands of the Corporation, to which it was presented at a Council Meeting, 6th February, 1889. The present Report, however, together with the Appendix, will be found to account for all the documents. The loan of any ancient documents in private hands, relating to the history of Shaftesbury, will be gladly welcomed by the writer.

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In the following pages references are usually given to the Municipal Documents by their respective letters and numbers. Hutchins's History of Dorset, 3rd Edition, in cited *passim*.

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CHAPTER 1.

A.

Royal Grants and Charters to the Borough of Shaftesbury, and other papers or copies of documents bearing upon the Privileges of the Town.

THE Collection of Documents now existing in the Municipal Chest of the Borough of Shaftesbury, though it cannot claim to comprise any records of distinctly national importance, is yet replete with materials of value to the local historian, and is deserving of the most attentive care and consideration at the hands of the Corporation.

Although these documents, when examined by the present Writer, were found to be without arrangement, and in some cases had suffered from decay, yet it is interesting to note that in former years their condition and safe custody did not escape the attention of the Council of the Borough. In the Corporation Minute Book, under date 17th August, 1704, it is "Ordered that Mr. Pope, Mr. Montague, Mr. Walters, Mr. Toomer, and Mr. Edwd. Glasse do meet att this hall on Tuesday after Bartholomew day to look ou' the old writings in the Chest, and make a p'ticular thereof."

16th Oct., 1714, "Ordered that Mr. Tomer [Toomer], Mr. Pope, Mr. Read, and Mr. Mayor, or any or either of them do attend the Town Clke to regulate ye writings in ye Town Chest and putt them into order."

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20th Dec., 1714, "Ordered that the Common Warden do's provide a frame of Holes for Keeping our writeings, to be erected where y^e^ large Town Chest now is."

The documents now classified under Section A. are of two kinds, and comprise (1) Copies of records and grants, bearing upon the privileges of the Borough from Domesday forwards, collected for those purposes of litigation which will be found described in a subsequent section, and (2) the Original Charters of Incorporation granted by the Sovereign to the Borough in the reigns of the first James and the second Charles. It will be of service to trace briefly the growth of the Corporate life of the Borough, and to show, in passing, the relation of these documents to one another, and their place in local history.

Shaftesbury claimed to be a Borough incorporate by prescription from before the beginning of legal memory, under the title of "Major et Communitas Burgi Shaston *alias* Shaftesbury," a claim which was disallowed by the verdict of the Jury in a Quo Warranto in 9 Jac. I., 1611, to which further reference will be made hereafter. In Domesday it is styled "Burgus Sceptesberie," and at the date of that survey it had 177 houses remaining out of 257 in King Edward's time, 80 having been destroyed. Of these, 66 belonged to the King, and 111 to the Abbess, who at that time had 151 Burgesses, 20 of her houses being empty. A. 1, 2, 3.

The use of the term Burgess did not at this period imply the possession of any corporate privileges, and the position of a burgess is clearly explained by Eyton (*Key to Domesday, Dorset*, 1878, p. 51), who remarks that "the ordinary burgesses, or inhabitants of the boroughs or larger towns of Dorset at the date of the Domesday were not as yet corporate bodies, contracting with the King or with other suzerains to hold their town and liberties by a fee-farm rent of so much per annum. The individual Burgess, when holding immediately of the Crown, was responsible to the Sheriff, or other fiscal officer for his quota of rent, or taxes, or local burdens. But in other cases, where the tenure of burgages was not immediate, the party responsible to the Crown would be that Earl, or Bishop, or Abbott, or Baron, whose tenants

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the burgesses happened to be, and who received the respective burgage-rents."

The first accession of privileges to the Town was a grant by Henry III., 30th Oct., in the 37th year of his reign, 1252, in favour of his demesne Burgesses of Shaftesbury, "dñcis Burgensibus ñris de Shaftesbury," for this was a Royal Borough, and providing that the Justices in eyre, whenever they entered Dorset, should visit the town to determine common pleas touching the Burgesses, and that the latter should not be required to make answer to any charge of this nature elsewhere. The burgesses also received the privilege of choosing yearly out of their number two Coroners, who, after they had taken the oath of fealty before the said burgesses, should determine the pleas of the Crown in the same vill. This grant was confirmed in an Inspeximus, dated 17 Sept., 5 Rd. II., 1381., A. 4., and again 24 June, 1 Hen. VI., 1423. See A. 13.

This was a substantial concession, but there was still no incorporation of the burgesses, nor is any mention made of the office of Mayor. That a Mayor of Shaftesbury did, however, exist before the reign of Richard II. is evident from the name of John de Haselmere, Mayor, appearing in the capacity of witness to a charter dated the Sunday in the Feast of the Annunciation, B.V.M., 26 Edw. III., 1352, D. 5.*

According, however, to a statement in Hutchins (iii., 15) a "Prepositus burgi" had occurred 40 years before in 7 and 10 Edward II., 1313—1317, who was probably an officer appointed by the King to collect the Burgage-rents and other customary payments, due from the tenants of his Manor. The seal of the "Communitas Burgi Shaston" occurs in the Town's collection of charters, in 1350, D. 3, and the seal of the "Majoritas Burgi" first appears in 1428, D. 28.† It may be a significant fact that the list of witnesses to the former charter, while comprising Peter

*This is two years before Robert de Fovent, the first Mayor in Hutchins's List (iii. 15.)

†The first appearance of the seal of the "majoritas" with the arms of the Borough at this date may possibly have some connection with the confirmation of the Borough Privileges in 1423.

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Swyft "t'nc Balli'o D'ni Regis ville Shaston," makes no allusion to a Mayor, who naturally, if such a functionary existed, would have been present at the sealing. It may, perhaps, be a mere accident that for subsequent confirmations the seal of the "majoritas" is invoked; but, unless documentary evidence exists to the contrary, the fact would here seem to be indicated that the office of Mayor of Shaftesbury was instituted between 1350 and 1352.

In the Inquisition taken at Pymperne, 8th Oct., 16 Rd. II., 1392, to enquire whether it would be to the King's loss to grant the Abbess a Farm of £12 per annum, with profits of Courts, lands, and various privileges, the Jury found that the latter included the office of Mayor, who should hold a Court of Pie-powder and govern the town in the absence of the Steward, "Officiu' maioris in eadem villa residentis, qui plit' ped' pulueris tenebit, ac villam predictam in absencia Senescall' eiusdm ville gub'nabit." A.5. The conclusion may be drawn from this Inquisition that the Mayor was at this time subordinate to the Steward of the Manor, and that his jurisdiction in holding a court and governing the Borough was only of a vicarial character.

With this agrees the fact that the Mayor, Coroners, Constables, (Court Roll, A D. 1446, B. 1), and Bailiff (A.D. 1460, B. 2) were chosen by the Jury at the Michaelmas Leet, apparently indicating that the Burgesses had no corporate assembly in which such elections might be held. A phrase, occurring at a Leet, 3 Hen. VII., 1487, B.5., that the Jury have chosen William Wykes to the office of Mayor, and other persons to other offices "cum assens' tocius coi'tatis Burgi ibm," seems to imply that by this date the general assembly of Burgesses had acquired or was possessed of the power of taking part in the election. A similar expression had already occurred a few years earlier, in 1471, when the Mayor and Wardens of the Common Rent and profits of the Commonalty of the Borough released "assensu voluntat' et consensu totius co'itat's," the office of King's Bailiff in the Borough and Hundred of Allcester to Richard Sheue, "qd ad nos et co'itat' p'dic' p'tinet eligend'," A. 13; and another release to Robert Payn, in terms of the same character, is found in 1482. D. 64.

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In addition to the Mayor and other officers chosen at the Leet, to whom allusion has already been made, the Town possessed two Commons' Wardens, elected, not at the Leet, but by the Mayor and Commons, and upon them devolved the collection of the rents and profits of the Commons' Lands, the making of leases (see D. 81, 82, 85), and the superintendence of the finances of the Commonalty. There is nothing to show at what date this office was first instituted, but in an Indenture, dated 4th June, 22 Hen. VI., 1444, D. 43, mention is made of John Squyer and John Brytte, "now wardens of the common rent of the Borough," and in the roll of the Leet held on Friday after Michaelmas, 11 Edw. IV., 1471, the office is referred to in the following terms, "Et qd Custod' cõis pixid' p'mitt' rubell' and lapid' p'uen' de teñ quo Will's Brokewey inh'it' iacent' in reg' via ad noc'." B. 3. The part taken by these persons in releasing the office of Bailiff in this year, and subsequently in 1482, has already been brought to notice, and they again appear as executing the same functions in 1499, D. 72, on which occasion they are termed "Custod' siue cam'-arij cõis reddit' Burg'." Later on they are called "Wardens of the rent of comyne box of ye boroughe of Shaston," 28 Hen. VIII., 1536, D. 82, and in Latin "Gardiani siue Custodes Reddit' cõis Pixidis Ville Shaston," 21 Hen. VIII., 1530, D. 81, and "Cam'arij siue Custod' co'is reddit' Burgi Shaston," 33 Hen. VIII., 1541, D. 85. The office long survived, though the number of Wardens was reduced to one, apparently about the time of the Charter of 1604. At any rate William Hurman alone was Warden in 1628, and subsequently to that date one annual holder of the office alone appears. In 1656 he was remunerated with a fee of one pound. In the Corporation Minute Book, in 1701, an order occurs that the Common Warden should be paid the usual yearly salary of £4, and that the office should be annual. In 1711 it was decreed that the out-going Mayor should serve as Common Warden for the year following his Mayoralty.

That Queen Elizabeth ever granted a Charter appointing a Mayor, Recorder, twelve Aldermen, Bailiff, and a Common Council, at an unspecified date, as stated in Hutchins, iii, 14,

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there is no evidence to show; and the Mayor and Burgesses, in the pleas they advanced in the course of the numerous law suits in which they were subsequently involved, make no allusion to such a grant. In particular a document, being "Allegations and pffs to make it appeer that the Burrow of Shaston . . . was antiently a Corporatiõ incorporated by the name of Maior and Coñonaltie," (A. 13) is entirely silent on this matter.

On the ground that they had been wrongfully detained and concealed from Her Majesty, the New Guildhall, the Fish Cross, the Corn Market Place, the Butter Cross, and the Commons' Lands, which had hitherto been considered the inheritance of the town, had escheated to the Queen, and were so found by an Inquisition taken at Sturminster Newton, 7th July, 27 Eliz., 1585, A. 7., and on the 15th July following the same buildings and lands were granted by Letters Patent to John Budden and James Sharrock, gentlemen, A.8., and on 2nd August the stalls and shambles to Theophilus Adams and Thomas Butler, both of London, gentlemen, A. 9. The Grantees last-named appointed William Gower of Shaftesbury, Yeoman, their attorney in respect of the said stalls, *&c.*, on the 23rd of the same month, A. 10.

It was with difficulty that these Commons' Lands became again the possession of the Town, for it is recited in the Order for the taxing of Tenths and Fifteenths in Shaston, 9th Feb., 34 Eliz., 1591-2, that the little land which the Town hath "hath bene in greate contraversy and the most parte thereof found concealed, and the towne dryven to purchase yt of her maties patentees, and the rest ys now in suite at Coñon lawe." F. 1.

The devolution of the Commons' Lands granted to Budden and Sharrock may be traced by means of a deed of 1607, D. 96, which recites that John Budden, 30th August, 29 Eliz., 1587, enfeoffed Richard Valeis, gent., John Nicoles, John Chaldecott, Morgan Senyor, William Gatehowse, and others, who in their turn enfeoffed Robert Hill, of Shaston, yeoman, and Humphrey Jolliffe, of Dorchester, gentlemen, 14th March, 1 Jac., 1604, who soon after, viz., 4 Sept., 5 Jac., 1607, conveyed the premises "ad solum et proprium opus et vsum" of the Mayor and Burgesses of Shaston.

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and their successors and assigns. A further hint may also be obtained from the mention of the following deed in the Corporation Minute Book, in 1704, viz., "An Assignmt from the heires of Sr Hugh Wyndham to the Burrough of the Comons Lands wth the Judt of a ffine bet. the same p'ties." This document is no longer in the Town Chest.

It is probable that a desire to remove the difficulties which had arisen in regard to the possessions and privileges of the Town resulted in the grant of the first modern Charter of Incorporation, dated 9th July, 2 Jac. I, 1604. This Charter, in a state of partial decay, still exists in the Municipal Chest, A. 14. After reciting that the Borough of Shaftesbury is an ancient and populous Borough, and that the Mayor and Commonalty have been possessed of divers liberties, franchises, immunities, and pre-eminences from a time beyond the memory of man, and after constituting it a Free Borough, and the Mayor and Commonalty a Body corporate and politic, under the title of the Mayor and Burgesses of the Borough of Shaston, alias Shaftesbury, with a Common Seal, the Charter appoints John Nicols to be the first Mayor, to continue in office until the following Michaelmas, and provides for the election of his successor by the Mayor and Burgesses on the Monday before that Festival. Before executing his office the Mayor is required to be sworn in the New Guildhall on the Friday after Michaelmas by the Steward of the Court of Frank Pledge, or his Deputy, or in their absence before the Mayor his predecessor, the Recorder and the Capital Burgesses, or the majority of them, of whom the outgoing Mayor to be one. The Mayor is to be Clerk of the Market, and, with certain restrictions, a Justice of the Peace. If he die in office, or be removed from the same, the Burgesses are to choose another Burgess to serve as Mayor till the expiration of the term, who is to be sworn in the form aforesaid. A Burgess refusing to serve as Mayor, when elected, is to be fined £10, and stand committed to the County Gaol till he consents to act, or pays the fine, but no Burgess is to be compelled to undertake the office a second time within three years of the expiration of his former term.

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The Charter names the first twelve Capital Burgesses or Councillors, who, together with the Mayor, the Recorder, and all those who have enjoyed the office of Mayor, form the Common Council of the Borough, with power to make and enforce bye-laws for the government of the town and its inhabitants. They are William Mason, Ambrose Burrelton, William Gatehouse, Richard Hurman, Walter Ridowt, Roger Brice, Walter Pitman, John Swetnam, William Style, Thomas Snelgrove, Robert Hascoll and William Cooke. Vacancies in this body, caused by death, removal, or election to the office of Mayor, are to be filled by the Council, and the newly-elected Burgess is to be sworn before the Mayor, Recorder, and other Capital Burgesses, in the New Guild-hall.

John Boden, gent., is appointed the first Recorder, and William Savadge Town Clerk, both of whom are to hold their offices for life, their successors to be chosen by the Council, to hold office '*durante bene placito*' of the Mayor and Burgesses. Two Serjeants at Mace are to be chosen annually by the Council on the Monday before Michaelmas. There is to be a Court of Record held every Saturday before the Mayor, Recorder and Capital Burgesses, or any three of them, of whom the Mayor to be one, to determine various actions where the matter in dispute does not amount to more than £10. Attorneys may be chosen by the Council and sworn to practise in this Court. A Coroner is also to be chosen by the Council from among the inhabitants yearly, according to former custom, on the Monday before Michaelmas, and on the Friday following the festival to be sworn before the Recorder, "Coram Recordatore adtunc Cur' Burgi predict' jurat' erit ad offic' ill' Coronatoris Burgi predict' bene et fideliter exequend' in die Veneris proxim' post festum Sancti Michaelis A."

A fair on the vigil, feast and morrow of S. Martin, with a Court of Piepowder, and all liberties and free customs to the fair and court belonging, with tolls, fines, stallages, piccages, *&c.*, are secured.

That this Charter did not give complete satisfaction is indicated by the fact that an alteration in its provisions was contem-

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plated during the reign of the original Grantor, as a "Draft of James's Charter, as was intended if the other had been surrendered," comprising 65 pages of MS., still remains among the archives of the Borough. A. 15.

This draft is not dated, but from the fact that William Swetnam is named therein as Mayor, who held that office in 1620, and William Grove, Esq., as Recorder, who was appointed *circa* 1614 or 1615, there is little doubt that 1620 is the year of its compilation. At any rate it is earlier than the date of the death of Mary, Dowager Countess of Pembroke, which occurred in 1621. This draft Charter may be regarded as a compromise formed with a view to settle those disputes between the Corporation and the Lady of the Manor, which will be amply noticed on a later page. If, however, this proposal had taken effect, the result would have been the riveting more tightly than ever the fetters which subjected the Borough to the Manorial Court. The following are the chief points in which its provisions differ from those in the Charter of 1604. Having set forth in the preamble that the Mayor and Burgesses surrender their existing Charter, on the ground that they are molested and impleaded in regard to their liberties and privileges, by reason of the want of express declaration in the former Letters Patent, and that further concessions are desired by the Corporation, it provides that in future there shall be fourteen Capital Burgesses, who, upon the first of every September shall choose three of their number, and present their names in writing at the following Michaelmas in the New Guildhall to any of the officers of the Dowager Countess of Pembroke during her life, and after her death to the officers of William, Earl of Pembroke, and his heirs, *&c.*, who shall nominate and appoint one of the Burgesses so chosen to be Mayor, to be sworn before the Steward of the Court Leet. William Groves, the Recorder, and John Blanford, the Town Clerk, are to hold their offices at the pleasure of the Countess or Earl, and their heirs, as aforesaid. The limit of the actions in the Weekly Court of Record is raised to £40, but all the profits, fines, and amercements of the Court are to go to the Countess or Earl. The liberties and jurisdiction of the

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Borough shall for the future extend to the vills, plains, parishes and liberties of Barton, Canne, Melbury, Allcester, Twyford, Compton and ffountmell. No merchant, artizan, husbandman, workman, or labourer, exercising any art, occupation or mistery, who is not already a free Burgess or free Inhabitant, shall exercise the same, or have any house, shop, place or station for the sale of merchandize within the Borough, except in the time of fairs and *markets* (a provision which robbed the clause of its value) under pain of forfeiture, fine, and imprisonment. The Mayor, Recorder, and the out-going Mayor for *two* years after vacating his office, are to be Justices of the Peace. Lastly, the Corporation is empowered to hold two fairs, each of three days' duration, on the vigil, feast and morrow of the Purification B.V.M., and of S. Matthew the Apostle, with all privileges thereto belonging, and a Court of Piepowder.

It is needless to say that these proposals never took effect. At the same time they are of interest, as throwing light upon the internal condition of the Borough, and the ideas which were in the air at the moment when the scheme was formulated.

With the Charter therefore of 1604 the Corporation was compelled to rest content throughout the whole of the disturbed period of litigation which ensued, until, upon the Restoration, new Letters Patent were procured, dated 22nd March, 17 Car. II., 1665, A. 16, which are still carefully preserved in the Chest in a narrow wooden box, and served as the rule of Local Government until the Municipal Act came into operation. This Charter is printed *in extenso* in Hutchins, iii., 104-112, and follows on the whole the same lines as its predecessor. Some new provisions are added in regard to the administration of the oaths of office to the Mayor and Coroner, it being now ordered that the former, if the Steward of the Leet be absent, may be sworn before any two Burgesses,* and that the latter shall be sworn on the day of his

* The provisions for the administration of the oath to the Mayor, in the absence of the Steward or his deputy, as given in the two Charters, are as follows:—

2 Jac. I. "Aut in absencia illius vel eorum alicuius [*i.e.*, the Steward or his deputy] tunc in presentia Maioris existen' vltimi predecessoris sui et Recordatoris Burgi illius pro tempore existen' ac Capital' Burgens' eiusdem Burgi pro tempore

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election, the Monday before Michaelmas, in the presence of the Mayor, Recorder, and Burgesses (or the greater part of them, *&c.*) instead of on the Friday after Michaelmas, at the Court of the Borough. A Clause is introduced giving the Corporation power to elect a Mayor in lieu of the refractory Burgess, imprisoned for refusal to serve the office or pay the fine, and another Clause creates the Recorder a Justice of the Peace, as also the Mayor for the year following his Mayoralty. Generally speaking the Charter is more amply and clearly worded than its predecessor, while two special provisions are added—the first requiring the oaths of obedience and supremacy to be taken by all the members of the Corporation and their officers,—and the second, of a most important character, reserving to the King and his successors power to declare the election of any Recorder or Town Clerk void, in which case the Mayor and Burgesses are to proceed to the election of others in their room.

A memorandum in the earliest extant Corporation Minute Book throws some light upon the circumstances which preceded the grant of Charles's Charter.

"A Quo warranto beeing brought agt ye Mayor and Burgesses by direccon of Mr. Atturney Generall vppon consideracon thereof and likewise vppon consideracon of some defects and imperfeccons in ye Charter It is Ordered that Mr. Recordr doe peticon his Matie in ye name of ye Mayor and Burgesses for ye renuing of ye sd Charter wth some addicons and amendmts, and what charge hee shall bee at therein, shall bee repayd him by ye Comon Warden of ye sd burrough; wch Charter was afterwards renued and bears date —— March, 17o Car: 2d."

We then find, on — Sept., 1665, an entry to the foliowing effect:

"Md. That the day and yeare aboue said the Maior Recordr and Burgesses Coronr and Towne Clerke and other inferiour Officers wthin the said Burrough whose names are under written did subscribe the declaracon hereafter menconed,

I *A. B.* declare, That I hold That there lyes noe obligacon vppon mee or any other p'son from the oath comonly called the Sollemn League and Covennt; And that the same was in itselfe an vnlawfull Oath, and imposed vppon the Subjects of this Realme against the knowne Lawes and Libertys of the Kingdome."

existen' siue maioris partis eorum, quorum prefatum maiorem Burgi predicti pro tempore existen' unu' esse volumus."

17 Car. II. "Vel in defectu huiusmodi seneschalli aut deputat' sui per absenciam, recusationem, seu aliter, coram Maiore, Recordatore, et Capital' Burgens' Burgi predict', aut aliquibus duobus vel pluribus eor' pro tempore existen'."

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This declaration is signed by Will. Chamberlayne, Maior, Hen. Whitaker, Recordr, Wm. Burleton, Peter King, Abraham Mathew, Matth. Dauys, John Toomer, Stephen Sturmy, Wm. Warmington, Wm. Hurman, Robert Toope, Rich. Hurman, [Burgesses], William King, Towne Clerke and Coronr, William Burssey, Thomas Rose, Serjeants att Mace. It is added, in another hand,

"Md. That ye Oaths taken and subscripcons made as abouesd were vppon occasion of ye renuing of ye Charter, at wch time also all ye sd partys tooke agayne ye severall Oaths of Obedience and Supremacy and ye oath also menconed in ye Act for regulating of Corporacons."

An effort was made at Shaftesbury, as in other Boroughs, in the latter part of this reign, to set aside the existing Charter, and with this object in view, new Letters Patent were issued in 1684, which now remain in the Municipal Chest in great decay, testifying to the low estimation in which they were held. A. 17. This Charter, which was tested at Westminster, 10th April, 36 Car. II., purports to be granted for the augmentation and amelioration of the Borough. It appoints Thomas Pride to be Mayor, Sir Henry Butler Recorder, Edward Atwell Town Clerk, and William Bowles, Esq., Alexander Maynard, Peter King, William Chamberlaine, Thomas Lush, Lewis Evans, Jasper Bannister, John Harris, Joseph King, John Snooke, William Francklyn, and Thomas Hackney, to be Capital Burgesses. The Charter, having traversed much the same ground as its predecessors, further provides for certain valuable additions to the privileges of the Borough.

1. The Mayor, elected on the Monday before Michaelmas, shall take the oath for the due execution of his office, and the other oaths required by law, on the Thursday before the Feast of All Saints next following, in the presence of the preceding Mayor and the Recorder, and in the case of the absence or illness of these officials, then before any two of the Burgesses, in the New Guildhall. This is a most important provision, as it removed the Corporation from the dependancy upon the Manorial Court, implied by the oaths being administered by the Steward of the Leet at the Court held the Friday after Michaelmas. According to this new arrangement the Mayor would enter upon his office about a month later than was formerly the case.

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2. The Mayor, in case of sickness or necessary absence from the Town, is empowered to appoint a Deputy Mayor to perform his duties.

3. The limit of £10, in regard to the actions for debt, trespass, &c., to be heard in the Saturday's Court of Record, is raised to £20.

4. Authority to admit "Advenas Anglice foreigners" to the Borough is granted to the Mayor and Burgesses.

5. Licence is given to hold a fortnightly Market on Tuesdays.

All these provisions appear to have been concessions of substantial value to the Borough. Why then was not the Charter gladly welcomed by the Inhabitants? It is fortunate that the clause which outweighed the advantages already named, still remains intact in the otherwise decayed and fragmentary Charter. This clause, hitherto unnoticed in the accounts which have been written upon the history of Shaftesbury, is so important that it should be given in full.

"Proviso semper ac plenam potestatem et authoritatem nobis heredibus et successoribus nostris per presentes reservamus de tempore et in tempus ad omnia tempora in posterum Maiorem Deputat' Maiorem Recordatorem Deputat' Recordatorem Communem Clericum et aliquem vel aliquos de Capitalibus Burgensibus Burgi predicti pro tempore existentes ad libitum et beneplacitum nostri et heredum aut successorum nostrorum per aliquem Ordinem nostrum vel heredum aut successorum nostrorum in Privato Consilio factum et sub sigillo Privati Consilii predicti eidem respective significatum ad amovendum ac amotum et amotos esse declarandum."

The Charter goes on to add that the persons

"sic amotum vel amotos esse declaratos sive declarandos a separatis et respectivis officiis suis ipso facto et sine aliquo ult'iori processu realiter et ad omn' intentiones et proposita quecunque amoti sint et erint,"

and others are to be elected to their respective offices.

The effect of this clause was to give the Crown complete power over the Corporation, providing, as it did, a process for the removal of the Mayor, Recorder, their Deputies, the Town Clerk, and any of the Capital Burgesses, by an Order in Council. In fact, if this Charter had been heartily accepted, the Townsmen would have bartered away their political freedom in return for benefits of a material nature. It appears that they were unwilling to make this sacrifice of their birthright. The Charter of 1665

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was never actually surrendered. but was secreted, so it is said, by Atwell, the Town Clerk, and was again produced when a change in the political atmosphere rendered such a course possible. That the new Charter was for the moment acted upon appears from the Minute Book of the Corporation, which contains under date the 24th April, 1684, the subscriptions and oaths of the Mayor, Recorder, Town Clerk, and Burgesses named in the Charter—the Mayor himself being sworn, "To execute the seu'all offices of Mayor and a Justice of the Peace within the said Burrough vntil the Thursday next before the ffeast of All Saints next ensueinge."

On the 22nd September in this year, being the Monday before Michaelmas, Mr. Joseph King was elected Mayor, and on the 30th October, being the Thursday before All Saints' Day, he "was according to his Maties Royal Charter sworne in the Vpper Hall to execute the Office of Mayor within the said Burrough for one yeare next ensueing before Thomas Pride, gent., the p'sent Mayor, and Sir Henry Butler, Recorder." The same order was observed at the election of Mr. William Chamberlayne, 28th September, 1685, and at his swearing in upon 29th October following. After the close of this year a most unfortunate blank occurs in the Minute Book, no transactions beyond a single memorandum on 25th May, 1688, being recorded until 31st December, 1701, at which date the provisions of the Old Charter of 1665 are found again existing in full force.

It was upon the clause already mentioned in the Charter of 1684 that the Order in Council, dated 27th November, 1687, and quoted in Hutchins, iii., 14, was based, though it is there erroneously referred to a non-existent charter supposed to be granted by James II. By this Order the Corporation was required to remove William Franklin from the office of Mayor, William Bowles, Esq., J.P., John Harris, William Chamberlain, Jasper Banister, Lewis Evans, John Snook, Simon Whetcomb, and Thomas Hackney, from their position of Burgesses, and Sir Henry Butler from his office of Recorder,—and to elect in their room Richard Hurman, Mayor, William Bennet, Recorder, and Peter Bennet, J.P.,

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Nathaniel Ernle, Anthony Morrell, Abraham Matthew, John Ring, John Butler, John Arney, and John Combe, Burgesses; without administering unto them any oath for the execution of their respective places, with which the King was pleased to dispense in this behalf.

The absence of further documents or memoranda at this period renders the subsequent course of affairs obscure, but the detailed examination of such records as still exist in the municipal chest has thrown much additional light upon an eventful era in the history of the Borough, which had hitherto been imperfectly dealt with, and the Writer believes that the length to which the present chapter has extended is fully justified by the intrinsic interest of the subject.

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CHAPTER 2.

B.

Court Rolls.

THE unfortunate series of disputes in which the Town found itself involved from the date of the Charter of James I., and which for so many years troubled the corporate life of the Burgesses, arose from the strained relations existing between the Borough and the Lord of the Manor.

In the Middle Ages, during the gentle sway of the Lady Abbess, who, from before the Conquest, was the owner of one of the two Manors into which the Town was divided, and by degrees obtained complete possession of the other, this friction had not arisen, but after the Dissolution when the united Manors had passed into the lay hands of a non-resident owner, the manorial rights came to be regarded only as a source of revenue, and were leased out to an underling, with but little regard for the interests of the Burgesses. At the same period the Commonalty had grown in influence, and the granting of King James's Charter seems to have been the signal for open war.

The Manor of the Abbess, as it passed from one head of the House to her successor, had but little special history, and calls for no remark. The devolution of the King's Manor is more intricate, and cannot in all points be satisfactorily traced from the documents at hand.

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The pleadings in the case of Philip, Earl of Pembroke and Montgomery, *versus* the Mayor and Burgesses, for trespass, 13 to 15 Car. I., 1637—1640, set forth that on May 8, in the 11th year of his reign, 1283, Edward I. demised to the Abbess and Convent of Shaston all the rents, tolls, and perquisites of Courts, which belonged to the King in the vill of Shaston, to hold during the King's pleasure, at a rent of £12 per annum.

"The Abbesse continued tenant att will to the King for theise thinges att xijli. p. ann' untill 9 K. Rich. 2, [1385—6], wch was aboue 100 years, and then King Rich. 2 grauntes to the Abbesse the Inheritance at a fee farme rent of xijli. p. ann'.

Then the Abbesse suggested to the King that she was hindered in the p'ception of the p'fitts of her said farme, because the p'ticulars whereof the said farme consisted were not menconed in the Kinges graunte.

Therefore the Abbesse peticoned the King that hee would voughsafe to graunte unto her the said farme of xijli. p. ann' wth all courts, profitts, landes, tenemts, rents, services, liberties, comodities, &c., in the Towne of Shaston, belonging to the King.

Thereuppon, 2 July, 16 R. 2 [1392], the Abbesse procured a Comission from the King directed to John Moigne, the Escheator of Dorsett, Stephen Derby, and John Wikeing, to inquire by 12 men, whether it were to the damage of the King or anie others, if the King made such a graunte as the Abbesse desired; and alsoe to inquire how much the said farme was worth by the yeare; and of what p'ticular courts, profitts, landes, rents, liberties, &c., the said farme consisted, and the yearelie value of eu'y of them seu'ally, &c. Teste meipso apud Notingham, 2 July, anno regni n'ri 16." (See A. 5.)

The Inquisition was found at Pimperne in Dorset, 8th Oct., 16 R. II., 1392, and the Jury reported that it was not to the King's damage to make the grant prayed for, and enumerated the particulars of the farm as follows:—viz., Lands and tenements, 10 messuages and 20 acres of land worth 40s. per ann'. Rents of Tenants of our Lord the King, 100s. per ann. Income and profits of shambles, beyond reprises, 10s. Waste and unoccupied places in different spots within the vill, of 5000 feet, worth 3s. 4d. per ann. Profits of S. Martin's fair during three days in tolls, customs, piccage, stallages, cou'age, pleas of Piepowder, *&c.*, worth 10s. Tolls, customs, pleas of Piepowder, and other profits and commodities of markets on every Saturday throughout the year, and on every Sunday from the "Gule of August" (*i.e.*, the first of that month) until Michaelmas, worth 6s. 8d. per ann. Two Courts Leet, and Views of Frank Pledge, *&c.*, other courts "*de tribus septimanis in tres*," to be held by the Steward, and other Piepowder

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Courts, to be held by the Mayor of the Town in the absence of the Steward, when needful, worth 60s. per ann. Services of fealty of tenants, and suit of court of the same, and the office of Mayor, Bailiff, and Constables, worth 10s. per ann. Liberties, viz., Infangthef, Outfangthef, plitu' sanguinis fus', hut leu, assiss' panis et ceruisie, *&c.*, worth 6s. 8d. per ann.

A copy of this inquisition may be seen in A. 5.

"By this Record it appeareth that while the Abbesse held this farme att the King's will shee had no other wordes but *Reddit', Tolnet, and p'quisit' Cur'*. But shortelie after shee obtained this farme in fee, then shee laboured to p'cure more large wordes in her graunte as aforesaid. And therein she procured the Comission or writt as aforesaid."

The grant here set forth appears to refer to that portion of his Manor which the King at this time retained in his own hands. Another portion had previously found its way elsewhere, for the pleadings already quoted proceed to state that while the King had "graunted to the Abbesse one part or moietie of messuages, landes, and liberties in Shaston," John Betteshorne, *tempore* Edw. III., had another part or moietie of the same, "and that Bettes-horne had one daughter and heire married unto Sr John de Berkeley, who enioyed it divers discents, and after sold it to Compton, who *tempore* Hen. 7 graunted it to the Abbesse att a fee farme rent of 5li. 6s. 8d. p' ann'."

In proof of these assertions quotation is made of an Inquisition taken 23 Edw. III., 1349, by which it appears that Margaret Bettishorne, on the day when she died, was seised of 16s. of annual rent in Shaston, and a moiety of the tolls of the market, worth 20s. per ann., and that John Bettishorne died seised of 16s. rent in Shaston, of a moiety of the profits of pleas and perquisites of the Courts of the said vill, of a moiety of the tolls of the market,—all worth £4 per ann.

Another inquisition, taken 6 Hen. VI., 1427-8, is also cited, by which it appears that John de Berkele, chivaler, died seised of a moiety of a rent of 33s. 10d. issuing yearly from certain Burgages in Shaftesbury, a moiety of 33s. 4d. yearly from shambles, a moiety of ancient customary payments in the Borough, called Stedegawyll and Worthengawyll, and a moiety of all amercements, profits, Courts, *&c.*, within the Borough.

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One more inquest is also cited, by which the jury on the 30th May, 38 Hen. VI., 1460, depose that Maurice Berkeley, of Beverston, Knight, held at his death on the 5th of May previous moieties of sums of 33s. 10d. issuing from ten Burgages at Shaftesbury,—of 33s. 4d. rent, issuing from four shambles,—of 24s. rent issuing of ancient custom in the Borough, called Stedegabyll, Worthingabyll,—of a rent of 15d., called Browyngabyll,—of a rent of 2s., called Tolseld; and a moiety of amercements, profits, perquisites of Courts, toll of merchandize and Martin's Fair, worth 2s. per annum, held of the King in free Burgage, as the whole Borough and Vill of Shaftesbury is held. A. 6.

This account may be taken as exhibiting a sketch of the descent of the King's portion of the Manor, as it was understood by the parties to the suit in 1637. If it can be trusted, and it is corroborated by the rolls of accounts, of which a description will presently be given, and by other documents, from the reign of Henry VII. the Abbess was the sole Mistress of the Borough, being responsible only for the fee farm rents already specified. Subsequent to the Dissolution the Manor passed into the hands of Sir Thomas Arundel, Knt., executed 26th Feb., 1551-2, and on his attainder was granted anew by Edward VI., by Letters Patent bearing date 27th April, 7th of his reign, 1553, for the sum of £8440 7s. 2d¾. to William, Earl of Pembroke, in whose family it long continued. An exemplification of this grant, at the request of Arthur Vanner, Mayor in 1589, Morgan Senior and John Chaldecote, was made 12th Feb., 32 Eliz., 1590, (no doubt with reference to the suit of Vaughan *contra* Hayne to be hereafter mentioned), and is now in the Municipal Chest. A. 11.

This sketch of the devolution of the Manor will facilitate the examination of the Court Rolls which are enumerated in the present section. They are 10 in number, and are of the following kinds.

I. Rolls of the Courts styled *Curia Legalis Domini Regis*, and *Curia Domini Regis*, dated 25 Hen. VI., 1446—7, (B. 1.)—39 Hen. VI., 1460—1, and 1 Edw. IV., 1461, (B. 2.)—11 and 12

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Edw. IV., 1471—3, (B. 3.)—15 Edw. IV., 1475—6, (B. 4.)—* and 3 Hen. VII., 1487—8, (B. 5.)

These Rolls contain in each year the record of the two Leets, one held on the Friday after Michaelmas, and the other about six months subsequently at Hock-tide, *Curia Legalis Domini Regis termini Hock*, and of the Courts held at intervals of three weeks, and hence called the "Three weeken Courts," or *de tribus* [*septimanis*] *in tres*. These Courts Leet were dated both by the year of the King and of the Abbess, and, like the Three weeken Courts, were held on Fridays. The name of the Steward was usually added, and the title ran, for example, as follows :—

"Shastonia. Curia Legalis Dni Regis t'mi Michis tent' ibm Die Ven'is px post festum Sci Michis Archi Anno r rs Henrici sexti post conquestu' Tricesimo nono Et anno Dne Margarete Seintiohn Abb'isse primo incipient' tempe Willi Carent Senesl' terr'."

At the Courts Leet a jury of twelve men was impanelled, but not at the Three weeken Courts. At the Michaelmas Leets the Borough officers were chosen, and the following names are recorded in the rolls now in the Muncipal Chest.

25 Hen. VI., 1446, the First Inquest "*primus questus*" chose for Mayor Roger Penne and Philip Best, of whom Roger Pennie was sworn well and faithfully to perform the office of Mayor. Also the Jury chose as Coroners John Cocker and John Whyte, skynner, and as Constables Walter Selke and Philip Weymaker, and they were sworn severally to perform and execute the said offices well and faithfully.

39 Hen. VI., 1460, the Jury chose as Mayor John Blanford, as Coroners Walter Sylke and Nicholas Legge, as Constables John Cosyn and John Shoyle, and as Bailiff John Whitenow. They were chosen singly for the honour and profit of our Lord the King and his people abiding within the Borough, *&c.*

11 Edw. IV., 1471, John ——— was chosen Mayor, but the record is mutilated, and the name has disappeared.

15 Edw. IV., 1475, the Jury chose William Wykys, Mayor, John Blanford and Robert Chamb'leyn, Coroners, Thomas Percy

*A roll of a Court Leet, 20 Edw. IV., 1480, mentioned in Hutchins, iii., 91, is not now to be found in the Chest.

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and Thomas Turgeys, Constables, and the Dean and Chapter of the Church of Sarum, Bailiff, for whom John Botyler was sworn.

The entry of the Court in 3 Hen. VII., 1487, is more full than in the other cases, and contains the clause that the Jury chose the Mayor with the assent of the whole Commonalty of the Borough, "*cum assens' tocius co'itatis Burgi,*" already noticed on p. 4, and again records the fact that the Dean and Chapter of Salisbury were chosen to execute the office of Bailiff in the Borough (evidently on account of the lands they held therein), and were required to pay a fine of 6s. 8d., for leave to serve by their deputy, William Skynner. At this Court William Wykes was chosen Mayor, Philip Godman and Robert Chamb'layn Coroners, and Thomas Percy and John Wynnyngham Constables.

The nature of the business transacted in these Courts may be seen from the following particulars culled from the Roll of the Leet, held the Friday after Michaelmas, 1471, B. 3, when the Jury presented, *inter alios*, John Gore, for allowing his hedges to overhang the King's way, called Pereswellane, and his mud to lie in the same lane; the Rector of S. Martin's for timber lying next the Cross of S. John in Est Strete; the Steward of the Fraternity of S. Gregory for stones and rubble from their tenement in Berton St.; Thomas Palmer and Anabella his wife for entering the garden of John Wylkyns, on divers occasions, and removing thence wood and underwood, to the value of 10d. (fined xijd.);—and the said Anabella as being a common scold and perturber of the peace of our Lord the King to the nuisance of her neighbours, "*co'is obiurgatrix and pacis dni Regis p'turbatrix ad noc' vicinorum*" (fined iiijd.);—and Margaret, wife of Galfrid Leverok, on a similar unruly charge, in which case a fine of iijd. was imposed.

The ancient celebrity of Shaston, as a place where beer could be procured more readily than water, is also illustrated in this roll, the Jury presenting at the Spring Leet Joan Port, William Goderd, Matilda Trott, John Edy, John Hore, John Browne, Thomas Assh, Petronel Colewell, as common brewers in the Abbess's Fee, selling beer in cups and other false measures not sealed. They were fined one penny a piece. John Shamond and William Bulley

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are also mentioned at the same time as brewers of beer, and Elizabeth, wife of John Holcombe, Ralph Cooke, John Knygh, baker, Margery Bykenell, John Browne, John Phamond, and John Wyncvorn, were mulcted one penny each as common tapsters, selling beer by cups and other false measures against the assize. These and other entries show the minute form taken by local government in the 15th Century, extending to suppression of nuisances, regulation of prices, weights, and measures, and other minor matters, essential to the well-being of the Community.*

Upon the same rolls which contain the Courts Leet is entered the business of the "Three weeken Courts," dealing with the same classes of local offences. These Courts, styled *Curiæ Domini Regis*, were incident to the Royal Manor. With them may be correlated the

II. *Curiæ Dominæ Abbatissæ*, which were attached to the Abbess's Fee. Of these are remaining in the Chest, Rolls relating to 26 and 27 Edw. III., 1352-3, (B. 7.),† 7 Hen. VI., 1428-9, (B. 9.), and 20 and 21 Edw. IV., 1480-2, (B. 10.) These rolls are dated by the year of the King and the Abbess, and are entituled in the following form, *e.g.*, "Shaston *ff.* Cur. Abb'isse tent' die m'cur' px post fm̃ Sci Dionis anno r rs E. tcij a conq. xxvj^to & Margar' Leukenore Abb'isse tcio." B. 7. The name of the Steward is not mentioned. The day for holding the Courts fell upon Wednesdays, at intervals of three weeks, but little business appears to have been transacted at them, the entries on the roll for each Court often consisting of but a single line. They are to the effect that the Bailiff came and presented such and

*The practice of these Courts at a later date is set forth by Richard Drinkwater, Deputy Steward of the Piepowder Court, and of the Court "de tribus in tres," 1633. "The Steward and Deputy Steward of the Courts was accustomed to grant attachment to any person requiring the same, to attach the goods and chattels of the inhabitants of Shaston, or of any stranger repairing thither for debt actions on the case, and divers other actions, to try the same by a jury or otherwise, to proceed to judgment, and execution accordingly, against the goods and chattels of the defendants."

†The Editor of Hutchins, in his notice of this roll, iii., 93, gives its date as 3, 14, 26, 27 Edw. III. The existing roll says nothing of the years 3, 14. nor does the Editor, when he gives the dates of the Courts, take any further notice of them. He also mentions a Roll, dated 10 Rd. II , which does not appear to be now in the Chest.

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such persons, *e.g.*, John Blanford, jun., one of the Wardens of the Fraternity of S. Gregory, or the Wardens of the goods of S. Peter's Church, or the Wardens of the goods of the Fraternity of S. Clement, as having broken the assize of beer, 1480-1; (a fine of three pence was imposed in each of these cases.) At one of these Courts, held the Wednesday after Christmas, 7 Hen. VI., and 6th year of Lady Margaret Stourton, Abbess, came Henry Ganeler or Gaueler, Chaplain and Sacristan of the Conventual Church of Shaston, and gave to the Lady as a fine, one capon, for entrance upon a small close containing three roods of pasture land next Dolhous on the west side, formerly belonging to William ffowler, late cook of the Lady Abbess, to hold the same for his life at an annual rent of 2s.

To a Court, three weeks later, came James Dron'e, and gave the Abbess a fine of fourpence for entering upon a cottage in the precinct (?) of the inn of John Croxhale in the North part of the High St., situated next the cottage where William Carte dwells on the east side, and next the cottage where Roger Capell dwells on the west side, and which John Kylpeke, goldsmith, formerly inhabited, to hold the same for his life, at an annual rent of four shillings.

The following quotation, taken from B. 7., 1352, will shew the style in which the rolls are kept.

"Assi' vis. Ball's ps qd Johns Payn, iijd., Reginalds Virgo, iijd., Willus Sauage, iijd., Alicia Douce, iijd., frynyana Halewell, iijd., Johes Ryde, vd., Johs le Hog, vjd., Johns le Warin, ixd., Johns ffrome, iijd., Rob'us le houpe, vjd., Johs le hay, iijd., Walts Gille, iijd., Johs Gore, iijd., Alicia Knotte, iijd., Johns Godefray, iijd., Lucas Brockes, iijd., Stephus Churppenhm, iijd., Thomas Virgo, iijd., Agnes Wroghte, iijd., & fr. assm. Id. in m. Sm vjs."

That is, the Bailiff presented these persons for breaking the assize, probably of beer, "fregerunt assisam. Ideo in misericordia," and they were fined the sums placed after their names.

From these rolls it becomes evident that there were two series of Courts held at intervals of three weeks throughout the year, on Fridays and Wednesdays, one for the King's Manor, and the other for that of the Abbess.

III. Two documents are records of transactions at the Court of Piepowder at the Midsummer Fair. One is only a small

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piece of parchment attached to a longer roll of the Court of the Abbess, B. 7, entitled "Shaston. Pl'ita Ped' Pulv'is Nund' tent' die Martis—nat. bi Johis Bapt'e anno r rs E' tcij xxvii.. & an' Abb'isse tcio," 1353. The other, B. 8, is a longer roll, much decayed, entitled "Shaston. Pl'ta Nundinarum cõ Edward Shatton, ibm̃ tenta die Jovis in festo Nat. bi Johis Bapt'e Anno regni Regis Rici scdi xi^mo Et dn̄e Joh'ne fformage Abb'isse xxvij^mo," 1387. The Courts on this roll began at Vespers on the Thursday specified, and were continued at Prime and Vespers on Friday, Saturday, and Monday. The Court was thus open twice a day during the continuance of the Fair, and took cognizance of pleas of debt and trespass, and other small matters that might arise. The sum total of the perquisites seems to have amounted to 4s.

IV. One bundle, of four rolls, B. 6, relates to the Court of the Abbey tenants, entitled "Curia Legal' ffeodor' baronie tent' ibm̃ 17 die Octob' a° 32 Hen. VI. [1453] a° Dn̄e Edithe Bonham Abb'isse 12°, a temp'e Willi Carent Seneschalli," followed by sixteen "Curie ffeodor' baronie," held at intervals of three weeks, and is valuable as giving particulars of the tenants of the Abbey living elsewhere than in Shaston, *e.g.*, in the Bailiwick of Bradeford and Tyssebury, Wilts, and Hanleigh and Kingeston, Dorset. See Hutchins, iii., 93, where notes and extracts from the other rolls in the Municipal Chest are also to be found.

The following are the fines of the free suitors paid at this Court.

BAILIWICK OF BRADEFORD.

Suitors	*Lands & Tenements at*	*Lately belonging to*	*Fine*
Henry Longge	Wroxhale.....	John Bourton	ij*s.*

BAILIWICK OF TYSSEBURY.

Tenants of Reginald West, Knt.....	Haselden		xij*d.*
Ditto ditto	Wyke		xij*d.*
Ditto ditto	Westhacche.....		xij*d.*
Tenants of lands, &c.	Aysshefold	John Aysshefold	xij*d.*
Ditto ditto	ffernehull.....	John Mawdite, of Somford	xij*d.*
John Juggehm		John Colynborne	xviij*d.*
Robert Northefolk....	Toterdhull		xij*d.*
John Jugge.....	ffountell		vj*d.*
Robert Mayow	Donyngton	John Belyngdon	xij*d.*
Thomas Jolivet	Lodewell		vj*d.*
Ditto	Donyngton		vj*d.*

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Walter Brinther'	Donnhed		xij*d.*
Tenants of lands, &c.	Teffont.....	Elis ffrye	xij*d.*
Ditto ditto	Lynley	Henry Stanleigh	xviij*d.*
Ditto ditto	Guyssych	Ditto	ij*s.*
John Lambard	Donyngton		xij*d.*
William Vpton	Ditto	Thomas Jerard	xij*d.*
Tenants of lands, &c.	Apshull	Walter Hanleigh and Agnes Leigh	xij*d.*
John Whitewode	Hanleigh	Alice Gildon.....	ij*s.*
Walter Halfeknyght ..	Iwerne		xij*d.*
Thomas Tame	Estmelbury	Roger Conke	xij*d.*
Tenants of lands, called Pegges.....	Demesne of Iwerne	William Turney	ij*s.*
Ralph Botreaux (to be paid by John Prest)	Ditto		ij*s.*
Tenants of lands, &c.	Cheselborn	Robert Moure	ij*s.*
Ditto ditto	Stour Westouer ..	Richard Cresbien'	vj*d.*
William Clavile	Demesne of Kyng-geston		ij*s.*
Tenants of lands, &c.	Melbury and Comp-ton	Robert Horder.....	xij*d.*
John Leigh.....	Donnhed	John Scammell	xij*d.*
Robert Thurborn	Lodewell		xij*d.*

In the following cases the beadel is ordered to distrain for default of homage, fealty, *&c.*

BAILIWICK OF BRADEFORD.

Tenants of lands, &c.	Holte & Duddeley	John Edyngdon
Ditto ditto	Wroxhale.....	Richard Pountes
Ditto ditto	Budbury	John Marice
William Besiles and Robert Avssheley, tenants of lands, &c.	Kulmyngton	William Stourton
Tenants of lands, &c.	Ludyngton	William Wroughton

BAILIWICK OF HANLEIGH.

Tenants of lands, &c.	Pymperne	William Alfield alias Clavile
Joan Parkers		

BAILIWICK OF TYSSEBURY.

Tenants of lands, &c.	Briddeserth	William Hanleigh
Ditto ditto	Westhacche.....	John Segne, Knt.
Ditto ditto	Apshull	Walter Hanleigh and Agnes Leigh
Ditto ditto		John Chikelade, formerly belonging to William Mountagu, Earl of Salisbury
Ditto ditto		John Mawdite

BAILIWICK OF KYNGGESTON, HANLEIGH, AND TYSSEBURY.

Tenants of lands, &c.	John Alyn, of Caundell

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CHAPTER 3.

C.

Rolls of Accounts.

UNDER this heading are comprised several Rolls of Accounts, already printed in whole or in part in Hutchins, iii., 91-97. They are as follows.

C. 1. The account of John Whytenowe, Deputy of John Angtill, King's Bailiff, from Michaelmas, 35 Hen. VI., 1456, for one year, and in the 16th year of E. B[onham] Abbess, and in the time of W. C., Steward.

C. 2. The account of Thomas Bartelmew, King's Bailiff, from Michaelmas, 36 Hen. VI., 1457. —— Abbess, William Carent, Steward.

C. 3. The account of John Botyler, wever, King's Bailiff, from Michaelmas, 11 Edw. IV., 1471, and in the 13th year of Margaret Seynt Jon, Abbess, William Carent, Steward.

C. 4. The account of Richard Rede, Deputy of Thomas Peris, King's Bailiff, from Michaelmas, 9 Hen. VII., 1493, and in the 3rd year of Alice Gibbes, Abbess.

C. 5. The account of Thomas Sparke, Deputy of John Aysh, King's Bailiff, from Michaelmas, 11 Hen. VII., 1495, and in the 5th year of Alice Gibbes, Abbess.

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C. 6. The account of Richard Rede, Deputy of William Gylbart, Prior of Bruto—, King's Bailiff, from Michaelmas, 12 Hen. VII., 1496, and in the — year of Margaret Twynyho, Abbess.

These Rolls are all of a uniform character, and run for the space of one year, from Michaelmas to Michaelmas, the new Bailiff being appointed at the Michaelmas Leet. Their contents are shewn by the following summary,* taken from C. 6.

Arrerag'	xl*i*.	xj*s*.	iiij*d*.
Redd'us assis		xxxiiij*s*.	iij*d*.
Redd'us Scabell		xxxiij*s*.	iiij*d*.
Stedegabell		xij*s*.	
Worthingabell		xij*s*.	
Fines pistorum		vj*s*.	viij*d*.
Bere Wingabellum			xv*d*.
Aisiament' Tolced		ij*s*.	
P'quis Cur.		lxxv .	xj*d*.
Tolnetum fori			xij*d*.
Sum' tocius recept' cum arrer'	xix*li*.	ix*s*.	ix*d*.

	£	s.	d.
The total receipts in C. 1 were	15	6	10
Ditto C. 2 ,, ...	15	17	5
Ditto C. 3 ,, ...	22	6	2
Ditto C. 4 ,, ...	17	0	1
Ditto C. 5 ,, ...	17	8	0
Ditto C. 6 ,, ...	19	11	11

being thus in the average nearly £17 16s. 9d. per annum. In C. 5 it is mentioned that the Steward was remunerated for holding the Courts Leet and other Courts with a payment of 16s. 8d. yearly, and 8d. was allowed for parchment for the Court Rolls, and Rolls of Accounts. When the net profits of the Manor had been ascertained they were divided into two portions, one for Maurice Berkeley, Knt., (C. 1, 2, 3) or William Barkelay, Knt.,

**Scabellum*, a stall. *Stedegabellum*, ? a payment for standings. *Worthingabellum*, probably a ground tax. In C. 1, 3, and 5, occurs a note on *Bere Wingabellum* shewing that the payment called by this name was attached to a single tenement; "Et de s. xvd. de Bere Wingabell p'uen' de ten'to nup' Matilde Baker p' annu'." In the Inquisition *post-mortem* of Sir Maurice Berkeley, 1460, A. 6., the word is written *Browyngabyll*, and may be a customary payment connected with brewing. *Tolcestrum* was a payment to the lord of a manor for liberty to brew. In C. 1 and C. 3 the sum of 2s. arising from this "easement" appears as due from the heir of John Balleshyre. The 12d. for market toll, *tolnetum fori*, was paid from the Mayor's box, C. 6.

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(C. 5, 6)—the other moiety going to the Abbess, as she held one half of the King's Manor, and the Berkeleys the other half, thus corroborating the sketch which has appeared on an earlier page.

The Mayors of Shaston incidentally mentioned in these rolls are:—Michaelmas, 1455, Philip Goodman; 1456, John Pole; 1457, —— Blandford; 1471, Philip Godman; 1493, Galfrid Tolchard; 1495, Galfrid Tolchard; 1496, John Brokeway. This list supplies some minor corrections in the succession of Mayors given in Hutchins, iii., 15.

Leaving these Rolls, we find two of a different character, C. 7 and C. 8, the former being the account of William Stone, Bailiff and Collector of the rent of the fee of the Lady Abbess in the vill of Shaston, for one year from Michaelmas, 11 Edw. IV., 1471, the 13th year of Margaret Seynt John, Abbess, William Carent, Steward;—and the latter being the account of a similar official, John Wykes, from Michaelmas, 13 Hen. VII., 1497, the 2nd year of Marg'ie Twynyho, Abbess. Extracts from both these rolls are given in Hutchins, iii., 94, shewing that they contain the rents of the tenants of the Abbey Fee, and the profits of the courts held within the Gate of the Abbey, and a payment from the King's Courts Leet and Piepowder Courts. The Perquisites of the Courts of the Abbess are thus made up in the Roll, dated 1497. C. 8. From 18 Courts of the Abbess, held within the Gate of the Abbey, 15s. 5d., viz., Fines of brewers, 13s. 8d., other perquisites, 21d.; 5s. 3d. from two Courts Leet in the Fee of the Abbess; 31s. 5d. from Piepowder Courts, viz., weighing of wool, 17s. 11½d., pittage and keiuage, 5s. 10d., goods of felons, 3s. 2½d., and perquisites of actions, "querelæ," 4s. 3d.

Another roll of great interest, C. 9., need only be mentioned here, as it is printed entire in Hutchins, iii., 94—97. It is the account of William Breton, Sacristan of the Conventual Church of the Monastery at Shaston, for one year from Michaelmas, 24 Hen. VIII., 1532, and the 5th year of Elizabeth Zouche, Abbess.

Other papers and parchments mentioned in this section, C. 10 to C. 19, are later miscellaneous accounts relating to the town lands and charities, and various other payments, ranging

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from 1616 to 1745, though obviously not complete for the whole of this period.

C. 10* is a file of Rent Rolls of the Town or Common Lands, commencing in 1616. The second roll is dated 1625, from which year to 1659 the series is fairly perfect, comprising 27 yearly rolls. There is then a gap till 1686, followed by six other rolls to 1695, inclusive of one in which the date is illegible, The entries in the year 1616 are divided into Shamble Rents, £32 7s. 4d.; St. Trinity Rents, £7 os. 10d.; St. Peter's Rents, £16 4s. 2d.; and St. James Parish and Canne, £6 8s. 5½d.; total, £62 os. 9½d. These rents vary but slightly through the whole series of rolls, being, *e.g.*, £63 8s. 1½d. in 1639-40, £55 13s. 9d. in 1657-8, and £56 3s. 1½d. in 1691-2. The number of separate tenancies in 1631 was 77, and they are classified as St. Peter's Parish 22, ffish Crosse 1, Chapmen's Standings 3, Tanner's Standings 5, Shambles and Shamble Shopps 24, Trinity Parish 15, St. James' Parish 6, and Cann 1.

Among the tenements or other places named in 1631 may be remarked the Ottloft, sometimes called the Alte lofte, which was a tenement over the shambles, the Hurlegogg in Trinity Parish, and the Blindhouse and Grate, which last appears to have been the Borough Lockup.

The roll for the year 1648-9 contains a statement of yearly charities, fees, and chief rents, which may prove of interest.

	£	s.	d.
Ther is yearlie to be received fro' thexecutors of old Joyce wch Mr. Robte Moore is to paye	1	0	0
Ther is yearlie the vse of xx*li.* to be distributed to the poore on St. Thomas daye and good frydaye Mr. Pettie's guift	1	12	0
Ther is vj*li.* to be distributed by you quarterlie to the poore att the Almeshouse the guift of Mr. Chubb for eu', to be paid about the middle of eu'y quarter	6	0	0
ffees to be paid yearlie.			
To the Comon Warden	1	0	0
To the Towne Clarke for his attendance at thassises and sessions	1	0	0
To the twoe s'riants for thier attendanc xxvj*s.* viij*d.* a peece	2	13	4
ther is vsuallie allowed them towards thier gownes	2	0	0
To the Bayliffes man yearlie	0	13	4
Alsoe to him towards his gowne or cloake, enquire of it	1	0	0
To the Scaveng'r for clensing the streets	2	0	0

*C. 11 is a roll of small papers, being receipts *circa* 1629, and C. 12 is a small statement of accounts relating to the Common Wardenship of Mr. Warmington, in 1637.

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Chieffe Rent to be paid yeerlie.	£	s.	d.
To the Earle of Pembrocks Baylye quere	0	0	0
To the High Sheriffe of Dorsetshire	0	4	0
To the Reeve of Gussage.....	0	0	8
To Mr. Warmington	0	0	4
Walter Lovell is to pay xs. yearlie and Edw. Burge xs. yearly for the howse they dwell in neer the Maudlyn			
Sander Sturmy for a house neer the Maudlyn yearlie	0	10	0
The Comon Warden is to rec' of Mr. Jo. Toomer halfe a yeares rent due to the Earle of Pembrooke in his tyme	6	13	4

Similar entries occur in other rolls. At an earlier date, 1631, it is stated that

There is yerely due by guift from Peter Hayward to be yerely paid att Saru' Twelfe day markett	01	00	00

"Old Joyce's" bequest of 20s. yearly for ever makes its appearance in 1635-6, and in 1640-1 it is incidentally mentioned that Mr. Pettye was Parson of Melbury Abbas. He seems to have held that Rectory from 1577 to 1617. "Old Joyce" was probably the same person as Robert Jesse, who made his will 24th Dec., 1614. (Hutchins, iii., 44). In 1656-7 "Mrs. Hyd's guift yearlie to the Churchwardens of St. Peter's, 6s. 8d.," is mentioned, and John ffreeke receives £1 "for lookeing to the Chymnyes about ye towne," a useful provision in a place where a conflagration would be disasterous.

The document, calendared as C. 13, contains the only allusion to the commotions of the Civil War to be met with among the Municipal Records. It is a piece of paper, endorsed "Mr. Maiors disbursmts 1644. Rend' due to him 5s. 8d.," and "to rayse a stock for powder and to paye poor men that go on the larums." It begins "Payd for 4 quartes of whine for Capten Barnes to Mr. Wetteker," and ends "15 of May 1644 at the Swanne this bill was seen and allowed, and there remaines due to Mr. Mayor 5s. 8d."* In C. 14,† however, which is a roll of mis-

*In 1643 the Town seems to have been specially protected against attack by chains placed across the highways, for a bill exists in C. 14, apparently of this date, for providing chains at "Toott Hill, the Ames Hous, Bimportt, Saint James' Hill and Copstreet Lane," costing £6 6s. od.; and there is another account for two other chains.

†C. 15 is a statement of the Accounts of John Chaldecott, Common Warden, from our Lady day 1653 to our Lady day 1654, from which it appears that the total of his disbursements was £94 15s. 3½d., and of his receipts £77 15s. 3d. C. 17 further relates to Chaldecott's accounts in 1655.

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cellaneous accounts and memoranda of charitable disbursements, many undated, and the rest of the years 1627-31 and 1648-54, the following acknowledgement is to be found, relating to an earlier period.

"I vnder written doe acknowledge to have receaued from the Maior and Constables of Shasberrye in the County of Dorsettsheere the full and intire sume of tenn poundes for one dayes conduct for three hundred souldiers, of the regiment of Collonell Conwaye nowe being vnder my Comand and on theire march to Willshire where they are to bee quartered, I say Receaued this 28th of December the sum of 10*li*. By mee. Tho: Alcocke."

The year is not mentioned in this receipt, but some other papers, which are pinned to it, refer to the year 1627. On another scrap of paper are the following charges "Item paid in for conducte monie, 7s.; laid out vpon the soldiers by the waie and at Dorchester, 4s. 5d.; ffor presse money, 1s." These memoranda are elucidated by the following extracts from the Calendar of State Papers, Domestic Series.

"Sept. 14, 1626. Portsmouth. Sir George Chudleigh to Sec. Conway. The regiments to be removed from Devonshire into Kent and Sussex do not exceed 800 to each shire, whilst those appointed for Hants and Dorset come to about 1,100. This inequality should be remedied. The regiments for Hants and Dorset are those of Colonels Conway, Burgh, St. Leger, the Earl of Essex, and Bruce."

"Nov. 19, 1627. Westminster. Commission by the King to Edward Lord Conway, Lord Lieut. of Hants, ... Sir Edward Conway, Colonel of a Regiment, ...to execute martial law upon soldiers billeted in Hants."

"Dec. 31. 1627. Blandford. Deputy Lieutenants of Dorset to Theophilus, Earl of Suffolk, Lord Lieutenant. Have received 240 soldiers out of Devon. The Colonel and Captains are quartered near Portsmouth, and these men are sent without any officer, not so much as a serjeant or corporal to take charge of them, which is such a distraction, being to receive another regiment, that they pray to be allowed to send them to such places where their commanders are already settled. Thanks for sending a Commission of Martial Law, which they hope will hinder the insolences they have been formerly subject to."

There was an ancient custom for the Mayor and Burgesses to repair to the springs of water at Enmore Green on the Monday before Ascension Day—(previous to 1663 the day had been the Sunday after 3rd May, Holy Cross Day)—and dance hand-in-hand round the Green to the sound of music, bringing with them "a staffe or besome adorned with feathers, pieces of gold, rings, and other jewells, called a prize besome," or bezant, and to present to the bailiff of the Manor of Gillingham in which the springs were

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situated a pair of gloves, a raw calf's head, a gallon of ale or beer, and two penny loaves of white wheat bread. References to this quaint custom may naturally be expected to occur in the rolls of accounts of the Borough. For example, in a bill, settled 10th April, 1656, relating to the previous year, is recorded "It. To the balie of Gillingham for our accostomed liberty to fetch water in Motcomb 1 payr of gloues at ye prse of 6s, and a calues head 8d, in beere 1s, and bread 2d." C. 16.* In the Corporation Minute Book, under date of 22nd June, 1708, it is "Ordered that Mr. Whetcombe's bills for prize bezant and lace for Serjants hatts be paid by Comon Warden forthwith. Ordered likewise that Robt Deans bill p Gloves att the prize bezant be pd forthwith. Ordered likewise that 2s p watching ye bezant be pd. Ordered likewise that the shoes for the Lord & holland for the Lady be paid for by the Comon Warden." Again, in a bill, 9th May, 1742, occurs a charge for "1 onz Belladine Silk, o. 2. o., 1 pr mens best 4th Knit worstd hose f. ye Lord, o. 4. o., 2 pr best white Lamb Glo: f. Ld & Lady, o. 2. 8., 3 pr mens topt Norway doe Gloves at 22d, o. 5. 6., and 1 pr mens topt and laced Gls. f. ye Steward Gillingm 6. o." C. 19.† The Lord and the Lady here mentioned were "important figures in these processions. They were handsomely dressed and decorated with ribbons, and, if claimed, the privilege of representing them was considered to belong to the last married couple within the borough." Hutchins, iii., 44 and 629.

The cost of the Bezant itself varied from £2 12s. 9d in 1703, to £4 4s. 11d. in 1706, but as it was often adorned with loans of plate and jewelry to a considerable value, the necessity of a special watchman to guard it is obvious. At a somewhat later date we find a detailed bill for the decoration of the bezant preserved in the roll of accounts numbered C. 19.

*C. 16 contains miscellaneous accounts, during the Mayoralty of Thomas Durnford, 1654-5, and Peter King, 1655-6; and a statement of the receipts and payments connected with the Markets, from Mich. 1681 to Mich. 1682, viz., Receipts £31 1s. 11d., Disbursements £5 19s. 4d., and a few other disbursements in 1686, and a short statement of receipts in 1699—1700. C. 18 is a leaf and a half of accounts, 1691-2.

†C. 19 contains receipted bills paid by Richard Hartwell, Common Warden, from the latter part of 1743 to 1745. He was elected Mayor in 1742, and, according to rule, acted as Common Warden for the year succeeding his Mayoralty.

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"April ye 26, 1744 for the bezaent.

	s.	d.
21 yds of tupney ribbon	3	6
10 yds silur do at 10d per yd	8	4
3 yds blwe siluer do at 22d per yd	5	6
3 yds chery and silver at 2/6 per yd	7	6
5 yds purple do at 2s per yd	10	0
36 yds plaine ribbon at 6d per yd	18	0
4 yds pinke and siluer at 3/6 per yd	14	0
3 yds gold dto at 4/6 per yd	13	6
3 pr glous	4	6
2 pr for the Lord and Ladey	2	6
1 pr hous	4	0
holland and gerdle	5	9
Sturd Glous [*i.e.*, Steward's Gloves]	7	0
2 yds ribbon	1	0
for ditto	0	3
Silk pins and needles	2	9
	£5	8 1

31st Augt., 1744, allow'd at a Common Councill W. Mohun Mayor. Nou'mber ye 9, 1744, Receed the full of this bill by me John Excell."

That this annual solemnity was the occasion of a general merrymaking appears from another bill.

"The Corporations Bill for ye Besant May ye 9, 1743.

	li.	s.	d.
Eating	7	0	0
5 Dozen of Wine	6	00	0
2 Dozen of Cyder	0	16	0
Wine	0	14	0
Beer	1	01	8
Cyder	0	12	8
Punch	0	09	0
Tobacco	0	01	6
Negass	0	16	3
Beer for ye Musick	0	02	0
Beer for ye Serjants	0	06	0
Beer for ye Hallbert Men	0	04	4
Beer for ye Constables	0	02	0
ye Servts of ye House	0	5	0
	£18	10	5

Septr. 1, 1744, Recd of Mr. Hartwell the full Contents of this Bill by C. Ham. 31st Augt., 1744, Allow'd at a Common Councill. W. Mohun Mayor."

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CHAPTER 4.

D.

Charters of Feoffment and other Instruments, principally of early date, and ranging from 5 *Edw. III.*, 1331, *to* 17 *Car. I.*, 1641.

IN the fourth section, arranged under the title which stands at the head of the present Chapter, is comprised a collection of one hundred documents, for the most part Charters of Feoffment and Quitclaims in respect of the conveyance of parcels of land within the Borough or in its immediate vicinity.

The greater number of these documents are connected with the foundation of Obits, and other observances of a religious character in the parish Church of S. Peter's, and supply the proof of title to the real estate which constituted their endowments,—and since it appears that the major portion, if not all, of these lands came eventually into the possession of the Mayor and Commonalty, the presence of the deeds in the Municipal Chest is fully accounted for. D. 92.

The series is valuable, not only as elucidating the history of these foundations, but as giving in addition

1. The names of the principal inhabitants of Shaftesbury at the periods to which the documents refer, who occur either as grantors, grantees, witnesses, or occupiers of adjoining holdings.

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2. The designations borne by streets, lanes, and tenements in the Borough.

3. The names of persons who held the office of Mayor at the date of the execution of the deeds in question.

The Mayor, Constables, and the King's Bailiff, frequently appear as witnesses, and occasionally the Coroners, and in some instances the Mayor was requested to affix his official seal, *Sigillum Maioritatis Burgi Shaston*, for greater security, on the ground that the seal of the grantor was but little known. In such cases the usual formula ran, "*Et quia sigillum meum pluribus est incognitum, sigillum officii Maioritatis Burgi Shaston hijs apponi procuravi.*" D. 13. The seal in this case bore the usual arms of Shaston, a *cross*, in the first and fourth quarters a *fleur-de-lis*, in the second and third a *leopard's head*,—with the legend *S. officii Maioris Bvrgi Shaston.*

In one instance,* in the case of a Quitclaim or Release by Alice Shepes, late the wife of Robert Bolyote, to Nicholas Herdyng, of a croft, called Estehegh, dated 24 Edw. III., 1350, a different seal is used, and it is stated in the deed, D. 3., that "*Sigillum Com'unitat' Burgi Shaston hiis apponi p'sonatr p'curaui.*" The seal, which measures 1¾ inch long, by 1 inch broad, is a vesica, containing the bare trunk of a tree on the top of which a small bird is perched, and against the tree, on the dexter side, a lion rampant is pawing, while on the other side of the tree, separated from it by a spray of leaves, is a sword, point upwards, and inclined to sinister. Around the seal runs the legend "+ *ES.....VS.* [sinister side] *ENSIS. AVIS. LEO. LIGNVM.*" [dexter side], which cannot be wholly read, as the seal is imperfect. A seal, remotely resembling this, and dated 1570, is figured in Hutchins, iii, 17, and is there called the "Seal of the Corporation of Shaftsbury for Warrants, *&c.*," and the third section or impalement of the ornament on the top of the old Mace, of which an engraving is given by Hutchins two pages previously, also resembles it.

*This seal was also probably attached to the Quitclaim, numbered D. 71, now much decayed, dated 21 Sept., 12 Hen. VII. The document runs, "Sigillu officij maioritat' Burgi sup'dict' una cu' Sigillo co'itats eiusd' p'sentibus apponi p'curaui." The seal itself has, however, disappeared.

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Other seals attached to deeds in this collection call for little remark. A type which frequently occurs is the letter I, surmounted by a crown, and with a palm branch on either side of it, which evidently has a religious significance.

A charter of Edward Nichole, in 1351, D. 4, bears a shield charged with a saltire engrailed between four *annulets*. Another charter of the next year, D. 5, from Nicholas Hardyng, bears a chevron between two human heads respecting each other, and in base ———. On the right side of the shield is the letter T (?), and on the left the letter M. The legend round it is "+ *SIG. ROBERTI. DE. FOVENTE.*," who was one of the witnesses, and subsequently filled the office of Mayor in 1354. The charter of William Hog, chaplain, 1380, D. 11, is sealed with a *hog*, looking to sinister, with a *fleur-de-lis*, point downwards, above it. That of Robert Wâtircombe and Agnes, his wife, relict of Walter Biere, 1450, D. 51, bears a shield charged with a fess between three *fleurs-de-lis*. The remaining seals are of no importance.

It is now time to proceed to deal with the subject matter of the Charters.

Hutchins, iii., 47, quoting from the Chantry roll, mentions that in S. Peter's Church were Obits for John Mathews, William Kettylton, John Brewer, William Coney, John Mercer *alias* Polycarp, and John Kilpeck;—clear yearly value, after some small deductions to the poor, 30s. Light is thrown upon the majority of these endowments in the present collection of charters. The documents which supply the fullest information are those which relate to the foundation of John Kilpeke. He was Goldsmith of the Town of Bristol, the son, apparently, of Robert and Alice Kilpeke, and by his will had bequeathed to Joane, his wife, a tenement in Goldhull, Shaftesbury, called Kilpekesplace, directing his executors, John Belle of Bristol, clerk, and John Hans of the same, goldsmith, after her death, to sell and dispose of the same according to his intentions. Whereupon they, the said executors, by charter of feoffment granted the premises to William Burleigh and seven other feoffees, 4th June, 22 Hen. VI., 1444. D. 42. This conveyance was executed in the lifetime of Joane Kilpeke,

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and by her consent, as she quitclaims the same premises to the feoffees on the following day. An indenture between the parties to the charter, and bearing the same date of 4th June, sets forth the conditions upon which this grant was made. The feoffees and their heirs, or the Wardens of the goods of the Church of S. Peter, Shaston, for the time being, shall hold yearly one *Placebo* on the 8th of May in the said Church, for the souls of Robert Kylpeke and Alice his wife, and of the said John Kylpeke and Joane his wife, with six chaplains, giving to every chaplain fourpence each,—and shall find two wax candles of two pounds weight,—and present one penny to the Rector of the Church, or to his Chaplain, on the morrow of the said day at Common Mass, and devote the remainder of the rent to the fabric of the said Church. D. 43.*

This messuage of Kilpecksplace, which was situated on Goldhill, between S. Peter's Church and a tenement of Alan Caneford, had belonged, so it appears, to Nicholas Tomere or Thomere, son and heir of Richard de Thomere,—and was demised by him to Henry Grey *dictus* Hastiler and Alice his wife for their lives, at an annual rent of 13s. 4d., reserving to his own use one upper chamber on the south part of the hall, and a stable, for himself and his horse, with free ingress and egress, at convenient times, whensoever he would. This was dated the Monday after the Assumption B.V.M., 34 Edw. III., 1360, D. 8, and the next year he conveyed the same premises in perpetuity. D. 10. On the death of Henry Hastiler, his widow became the wife of Robert Harding, and by her will bequeathed this messuage to Walter Biere, John Cockerell, and Robert Culpek, clerk, of S. Peter's Church, and the two former, in consideration of a large sum of money paid them, and distributed in the presence of the faithful for the souls of the said Alice and Henry Hastiler, conveyed it to Robert Culpek, aforesaid, 20th April, 21 Richard II., 1398. D. 15. In this manner it is traced into the possession of the Culpeks or Kilpecks. The tenement, late of Robert Culpek on Goldhulle, is mentioned in D. 30, 1429.

*By a later deed, D. 60, dated the Feast of S. Matthew, 3 Edw. IV., John Spycer senior, son and heir of William Spycer, the sole survivor of the original feoffees, vests Kylpekesplace in Walter Bakeber, Esq., and nine other persons.

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William Ketylton, who founded another Obit in S. Peter's, was Rector of that parish, 1491—1509, and of S. Martin's till 1494. In the Municipal Records, D. 77, is the appointment by William, Archbishop of Canterbury, 19th April, 1510, of John Mathewe and Mathew Perye, to administer to the will of William Ketylton, the executors named therein having renounced probate. He is then described as late of the Diocese of Coventry and Lichfield. William Ketylton had previously acquired of Robert Laurence, citizen and draper of London, and Margaret his wife, two messuages, "with solers, sellers, gardynes and courtelages thereto belongyng with their app'tennes next Goldhill in the p'isshe of Seint Petyr of Shaftesbury," by indenture dated the 28th May, 22 Hen. VII., 1507, D. 74, and on the 8th June following the premises were conveyed by the same grantors to trustees to the use of William Ketylton, clerk. D. 75. An endorsement on the indenture describes it as the "Conveyance of Lamb," and the same two messuages were again conveyed to other parties, 3rd Nov., 4 Edw. VI., 1550. D. 90. What became of this endowment may be seen in D. 92, which will be mentioned presently.

The following deeds appear to relate to the Obit founded by John Mercer *alias* Poticary (not Polycarp, as in Hutchins). On 12th July, 37 Hen. VI., 1459, Thomas Wytham, clerk, grants to Ralph Heende, clerk, and eight others, a messuage or fulling mill, *&c.*, which, together with William Burley now deceased, he had by the name of 5 acres of land, 9 acres of meadow, and 20 acres of pasture, in Canne and Melbury, Dorset, by the gift and grant of John Merser and Alice his wife now deceased, by a final concord and recognisance, in the King's Court at Westminster. D. 56. On 7th Oct., 6 Hen. VII., 1490, John Crowch and John Shoil, mercer, the two surviving (?) grantees under the previous deed, conveyed the messuage, fulling mill, and lands in Canne and Melbury, to Sir William Hody, Knight,* Chief Baron of the

*The curtilage, late of John Hody, Knight, in Wodehewereslane, S. Lawrence's parish, occurs 30 Hen. VI., D. 52. Sir John was M.P. for Shaftesbury, 9 Hen. V., and 1, 3, 6 Hen. VI., and became Lord Chief Justice of England, 1440. William Hody's Garden in Millane, in the same parish, is mentioned 5th Dec., 14 Edw. IV., D. 63. He was son of Sir John Hody. For the pedigree of this family see Hutchins, ii., p. 233.

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Exchequer, Master John Reynold, clerk, and eight other feoffees. D. 65. The same premises were also conveyed by D. 84 and D. 89.

What became of these endowments may be seen by a charter of feoffment, dated the last of September, 4 and 5 Philip and Mary, 1557, by which Thomas Boxley,* of Wymburne Mynster, gent., grants to Edmund Bowre, gent., and eleven others, two messuages called the Lamb, in S. Peter's Parish, heretofore given to maintain the anniversary of William Ketylton, and a messuage adjoining S. Peter's Church, given to maintain the anniversary of John Kylpecke, and another messuage, called *Kylpecks place*† in Melbery and Canne, given to maintain the anniversary of John M'ser *alias* Potecarye, all of which he, Thomas Boxley, had purchased, *inter alia*, of William Warde of London, gent., 14th July, 4 Edw. VI., 1550. As Edmund Bowre was then Mayor of Shaston, there can be little doubt that the premises were purchased by him, and the eleven other leading Burgesses, for the use of the Borough. D. 92. In a few years, 8th July, 4 Eliz,, 1562, Joane, widow of Thomas Boxley, late of Wimborne Minster, gent., granted to Reginald Eliot of Ludwell, his heirs and assigns, 12 acres of land in Canne, with common of pasture of 80 sheep in the common fields there, D. 94, no doubt a further portion of the spoils.

William Coney, to whom allusion was made in the extract already given from Hutchins, is mentioned in a document, F. 2, calendared among the miscellaneous papers, which is a certificate, dated 28th Jan'y, 1602, of a rent of 5s. issuing out of certain lands of John Newborowe, Esq., called Coites, given for an Obit of William Coney in S. Lawrence's Church.

One other religious endowment remains to be mentioned. On 23rd May, 4 Edw. IV., 1464, Nicholas Legge granted to Walter

*John Perient, Knight, and Thomas Reve, gent., grant to Thomas Boxley a rent of 4d. arising from the lands and tenements of John Marshall [should be Mercer] alias Potecarie, in Melbury and Can, late in the occupation of Edward Lusche, which had come into the King's hands by the Act for dissolving chantries, 24th Dec., 3 Edw. VI. D. 88.

†The appropriation of the name "Kylpecks place" to the lands in Melbury and Cann is apparently a mere mistake, as in the earlier deeds it is the regular designation of the messuage on Goldhill, next S. Peter's Church, and of no other. But the error, once made, was subsequently perpetuated in the Rent Rolls of the Borough, C. 10, e.g. in 1631.

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Bakeber, Esq., and eight other persons, a curtilage called Weyleshey, in S. Martin's parish, on condition that they, with others, should yearly find and maintain a lamp, and oil lighted in the same, on every Lord's day and Festival, in the time of Divine Service, viz., as well at prime until vespers with compline, as at matins and prime and other accustomed hours, and at Masses, and also at the second vespers with compline of the same days, "coram effigie dñi ñri Ihu Xp̃i & imagine Sc̃i Gregorij pape" in the northern part of the parish church of S. Peter. D. 61.

There is also a grant from John Botiler, of Shaftesbury, to Master William Ketilton, clerk, Master John Osplete, clerk, Ralph Bury, clerk, Stephen ffrye, and Walter Thorner, their heirs and assigns, of a tenement with curtilage and garden, 5th May, 9 Hen. VII., 1494, which was probably designed for religious uses. D. 67. See also D. 68 and 69.

There are some other documents in this series which are worthy of notice. The first which may be mentioned, D. 2, is a copy of the will, in Latin, of Alice atte Halle of Shaston, of which the following is an abstract.

I commend my soul to God, and my body to sacred burial in the Cemetery of Holy Trinity, Shaston. To the fabric of the Churches of S. Mary, Sarum, S. Andrew [Wells], and S. Peter, Shaston, 3d. each. To Sir Henry, presbyter of S. Peter's, 6d. To [the church of] S. Richard of Chychester, 3d. To Nicholas Hardyng and John Palm'e my tenement, situate between the tenements of Peter Selewode and John Biggett in the parish of H. Trinity, so that they may sell it in fee simple, and pay thence to Richard Goche vs. All that remains of the proceeds to be distributed in Masses, and in bread among the poor of Shaston, for my soul. To Richard le Goche i second best brazen pot, and i lead, and i third best bed. To my son Robert i best brazen pot and best bed and *table* (?). To Edith, daughter of John le Palm'e, i chest, i napkin, i second best towel. To Joane Coments 6d. and i silver button or brooch, *firmaculum*. To Julian le Wyte, John Selewode, Nicholas Hardyng, and John le Palm'e i silver spoon each. To Joane Gloutes, Alice atte Halle, and John and John, senior and junior, sons of John le Palm'e of Chalke, each "*dj lect.*" (?) Residue to Nicholas Hardyng and John le Palm'e, to the intent that my body be well and honourably buried, and the remainder be distributed among the poor of Shaston, for my soul. Executors, Nicholas Herding and Vincent de Ryncton. Friday next after Michaelmas, 1348. Sealed in the presence of John le Palm'e and Sir Henry, chaplain.

About a hundred years later occurs the probate of another will, D. 34, proved at Shaftesbury before the Official of the Archdeacon of Dorset, 16th Feb., 1442.

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Isabella, wife of John Hulling of Shaston. To be buried in the cemetery of H. Trinity. To the fabric of the mother Church of Sarum, 4d. To the fabric of the church of S. Lawrence, Shaston, one basin. To the High Altar there, 4d. To the parochial chaplain there, 4d. To Margaret, my cousin, my best gown, "*opt togam.*" To Isabella Obbus one red petticoat "*subtunicam rubeam,*" &c. To John, my husband and executor, my tenement in S. Lawrence's parish. 24th Jan'y, 1442.

One series of deeds throws light on the actor in an event of some importance in the neighbouring town of Sherborne. On 4th June, 5 Hen. V., 1417, John Nott, of Stoke Verdon, grants to Richard ffowhell, merchant, of Shaston, a burgage in S. Lawrence Lane, and quitclaims the same to him on the 15th of the same month. D. 20, 21. Then on the Monday before S. John Baptist's day, 5 Hen. VI., 1427, Richard ffoughell, who now describes himself as of Shirbōne, (and is called Voughell in D. 26,) grants the same to William Ocle, clerk, (Rector of S. Lawrence, 1419—1432) and John ffore, D. 25, who, on the Monday after S. Lawrence's Day, in the same year, regrant the premises to the said Richard and Alice his wife. D. 27. Who is this Richard ffoughell or Voughell, but that inhabitant of Sherborne, Richard ffowell, who, a few years after, made himself so busy in the dispute between the Monks and the townsmen, in regard to the position of the font in the Abbey Church, and, "*Dei timore postposito,*" assisted in the erection of a new font in the church of the Parishioners, and who thus, by taking part in the commotions which later on resulted in the burning of the Eastern part of the Abbey Church, has had an active share in contributing to the present condition of this famous Minster? The ordinance of Robert, Bishop of Sarum, for making peace between the Monks and the parishioners, dated 8th Jany, 1436, in which the name of Richard ffowell occurs, is given at length in Hutchins, iv., 236.*

It appears, from some of these documents, that the office of Bailiff was felt to be a burden from which it would be an advantage to be relieved. Thus, on 10th Sept., 22 Edw. IV., 1482, Walter

*With this compare the Will of Richard Vowell, of Stalbridge, dated 14th April, and proved 6th July, 1508, (Bennett, 2, P.C.C.), who, after giving legacies to the Abbots of Sherborne, Midleton, Cerne, and Abbotsbury, leaves to Elizabeth, his wife, his Burgages in Shaftesbury, with reversion to Alice, his daughter and heir.

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Bakebere, Mayor, and John Botyler and Thomas Tourges, Wardens of the Common Rent, release to Robert Payn, gent., the office of Bailiff in the Borongh, so that he should be exonerated from it for his lifetime, D. 64, and a little later, 24th Aug., 15 Hen. VII., 1499, Thomas Percy, Mayor, and John Browne and John Mathewe, Wardens, make the same release to Walter Baggeber. D. 72.

One other deed should be mentioned here, as it relates to places elsewhere than at Shaston. It is a grant, D. 86, from Edward Clement, of Langton, Dorset, gent., to John Williams, of his messuages, lands, *&c.*, in ffovent and ffountell, Wilts, and Lydlynche, Dorset, besides other lands in the latter county, the situation of which is not named, 14th March, 34 Hen. VIII., 1543.

In the two lists which now follow are collected the names of streets, lands or tenements, occurring in this series of documents, and of the persons who are mentioned as holding the office of Mayor. In the second list those marked with an asterisk do not occur in the enumeration in Hutchins, iii., 15, so that no less than about 27 names of Mayors of Shaftesbury may be added to the number there given, as a result of the careful examination to which these charters have now been subjected. Other additions to the list, occurring at a later date, will be mentioned on subsequent pages.

PLACE NAMES IN SHAFTESBURY,
with the dates at which they are first mentioned.

A.D.		*Parish.*	*D.*
[1331.]	Huntemede (on the endorsement)	S. James	1
1350	Estehegh (croft)		3
1350	Gerc'ehey		3
1351	Pallyngeslane	S. Laurence	4
1352	Goldhulle	S. Peter	5
1380	Scotslane	S. Laurence	11
1388	Coppestrete	S. Martin	13
1401	Esthayes (close)	S. James	16
1401	Gyesmersch (common pasture)	S. James	16
1415	Wodehewereslane	S. Laurence	17
1416	S. Laurence Lane	S. Laurence	19
1429	Fordmere		29
1442	Pewke Lane	S. Laurence	38
1444	Kylpekesplace	S. Peter	42
1446	Mille Lane	S. Peter	46
1446	Smale Lane	S. Laurence	46

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1447	Peryshers (spring)	S. James	48
1456	Berton St.	S. Laurence	55
1464	Weyleshey (curtilage)	S. Martin	61
„	Les Clyves (close)	„	61
„	Knappes Hall (curtilage)	„	61
1496	The Guild Hall	S. Peter	71
1511	Est Strete	S. Martin	79
1514	La Rame (Inn)		80
1546	Collman Lane	S. Laurence	87
1557	The Lamb	S. Peter	92
	Also endorsed on a deed of 1507.		
1641	Hollie Rood Meade	S. James	98

Mayors of Shaftesbury.

Probable date of Election.	*Name.*	*D.*
1351	John de Haselmere*	5
1354	Robert de Fovente	6
1359	Thomas Virgo*	7, 8
1360	John Wyke*	10
1379	Edward Leance*	11
1383	Richard Payn	12
1387	Robert Pope*	13
1392	Thomas Cammel*	14
1400	Thomas Cammel*	16
1414	Thomas Haselmere*	17, 18
1415	Hugh Croxale*	19, 20, 21
1418	John Bien	22, 23
1425	John Bien*	24
1426	John Bien	25, 26
1428	William Morton	28, 29
1429	Thomas Wyse	30, 31
1441	John Silley or Sillegh*	35, 36
1442	William Cole*	38
[1442]	Robert Bodenham, Esq.†	39, 41
1443	William Matthu*	42, 44
1446	Roger Penne	46, 47, 48, 50
1450	John Blanford*	51
1451	William Matthu*	52, 53, 54
1455	Philip Godman	55
1461	John Crouche*	58
1462	Philip Godman*	60
1470	John Shoyle* §	
1474	John Swypston*	63
1481	Walter Bakebere* ‡	64
1490	William Stone*	65
1493	Galfrid Tolchard	67
1494	Thomas Burges*	69
1498	Thomas Percy*	72
1500	Galfrid Tolchard*	73
1510	John Holcnd	78
1513	Thomas Percy*	80
1514	Roger Smith* §	
1529	Walter Horder	81
1557	Edmund Bowre, gent.*	92
1596	Arthur Vanner§	
1641	Nicholas Cooper††	98

*Not in Hutchins.

†Robert Bodenham is erroneously called Robert Bodesiam in Hutchins, iii., 15. He is named as a witness on 1st and 7th April, 21 Hen. VI., 1443. There is no means of explaining how he and William Cole both appear as Mayors between Michaelmas, 1442, and Michaelmas, 1443. Cole may have resigned. He does not seem to have vacated his office by death, as his name occurs as a witness on 1st April, 1443. D. 39.

§The three names thus marked occur in copies of deeds of which an abstract is given in A. 13., "Allegations to make it appeer that the Burrow of Shaston.. was antiently a Corporation." The originals are no longer preserved in the Municipal Chest.

‡Walter Bachelor, who is placed by Hutchins in 1482, is no doubt intended for Walter Bakebere, apparently elected Mayor in 1481. He is termed "Esquire" in 2, 3, and 4 Edw. IV. D. 59, 60, 61.

††Occurs 10th Sept., 1641.

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CHAPTER 5.

E.

Papers relating to Suits at Law and Equity.

THROUGH the documents comprised in the present section, 162 in number, we are brought in contact with a disturbed period in the history of the Borough. It may be termed the age of litigation. Though it cannot have been other than a time of great anxiety for the Burgesses, while watching the course of the legal proceedings, only the slightest allusion is made to it in the County History, and the remembrance of it had to all appearance passed entirely away, until these memorials of former troubles were unearthed from their resting place in the Municipal Chest.

From the 32nd year of Queen Elizabeth, 1590, onwards for about 50 years, a series of actions at Law and Equity was brought against the Mayor and Burgesses, until the Town was reduced to a pitiful condition of decay and poverty, pressed down with a municipal debt, which, though inconsiderable when compared with the fiscal burdens of the present day, was of some moment for the time and place, when and where it was contracted,—and harrassed by a numerous body of indigent persons, whom the comparatively more well-to-do townsmen were little able to main-

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tain or relieve. A petition from the Corporation in 1631 or 1632, to Philip, Earl of Pembroke, sets forth that for the space of 40 years the burgessess had been "exceedingly vexed in aboue 20 several actions and suites," in all of which they occupied the position of defendants. E. 112. Papers relating to what appear to be 22 suits are now in the Municipal Chest. They were in a state of great disorder, and it has been a work of no little labour and difficulty to arrange them under the titles or suits in which they appear in the Calendar. The following is a list of the actions prosecuted against the Corporation as a whole, or against individual members of it.

32 Eliz. Edward Vaughan *contra* Robert Hayne. A suit for possession of the Shambles. E. 1—2.

4 Jac. I. Sir Henry Hobart, Attorney-General, *v.* Ambrose Burleton, Mayor of Shaston, deft. Quo Warranto;—for Weights and Shambles. Exchequer. E. 3—9.

6 Jac. I. Sir Henry Hobart, Attorney General, *contra* Walter Pitman, Ambrose Burleton, William Style, defts. An English Bill in the Exchequer. For Weights and Shambles. E. 10—16.

9 Jac. I. Nicholas Gower *contra* Ambrose Burleton and Walter Hamond. A suit relating to the Common Weight of the Town, and in the Market. King's Bench. E. 17.

9 Jac. I. William, Earl of Pembroke, complt., and John Boden, William Cooke, Mayor, William Gatehouse, Walter Pitman, defts. A Bill in Chancery. E. 18—21.

9 Jac. I. Sir Henry Hobart, Attorney General, quer., and the Mayor and Burgesses of Shaston, defts. Quo Warranto. For Markets, S. Martin's Fair, Court of Piepowder, Weights, Tolls, Stalls and Shambles. Exchequer. E. 22—36.

12 Jac. I. Sir Francis Bacon, Attorney General, *contra* John Boden, John Foyle, Richard Hurman. An information against these defendants for having gotten possession of and for retaining Evidences, *&c.*, belonging to the King. Exchequer. E. 37—38.

12 Jac. I. Nicholas Gower, plt., and William Burleton and John Bennett, defts. The plaintiff's affidavit relating to Toll of Salt at S. Martin's Fair, and Tanners' Standings. Exchequer. E. 39—43.

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12 Jac. I. Mary, Countess of Pembroke, quer., *v.* Edward Lushe and William Hurman, defts. An action for trespass in Bleek-street. Common Pleas. E. 44.

13 Jac. I. Mary, Countess of Pembroke, plt., *contra* Edward Laurence, Edmund Mayne *alias* Gilbord, Joseph Fisher, John Hann, Walter Knapp, John Bigges als Burgess, John Buckland, Thomas Lush, defts. For erecting sheep-pens in Bleekstreet. Common Pleas. E. 45.

14 Jac. I. Mary, Countess of Pembroke, complainant, and John Foyle, Richard Hurman, John Lush, John Burge als Burges, defts. For Fish Cross, Stalls, and Shambles. A Bill of Complaint in Chancery. E. 46—55.

14 Jac. I. Sir Francis Bacon, Attorney General, quer., and the Mayor and Burgesses of Shaston, defts. Quo warranto. For Fish Cross and Shambles. Common Pleas. E. 56—60.

16 Jac. I. Sir Henry Yelverton, Attorney General, *v.* John Swetnam, Mayor. A complaint that the Mayor was executing his office without being duly sworn. Exchequer. E. 61.

17 Jac. I. Mary, Dowager Countess of Pembroke, and William, Earl of Pembroke, plts., and the Mayor, Burgesses, and Inhabitants of Shaston, defts. For removing Stallages. An English Bill in the Exchequer Chamber. E. 62—77.

20 Jac. I. William, Earl of Pembroke, plt., and William Hurman, deft. An action for trespass in erecting sheep-pens in Bleekstreet. Common Pleas. E. 78—83.

22 Jac. I. Nicholas Gower *v.* Richard Hurman, Richard Rives, John Swetnam, Thomas Snelgar, Nicholas Compton, and Henry Borage. Gower's affidavit charging the defendants with interruption in profits of stallages or standings, which he declared, under the judgment of 9 Jac. I., ought to belong to the King. Exchequer. E. 84—91.

1 Car. I. Nicholas Gower *v.* Richard Rives, Mayor, Robert Haskoll, Thomas Snelgar, Henry Borage. Gower's affidavit, complaining of the Mayor's shutting the Guildhall to the hindrance of weighing there, the Mayor's taking Bull Beef, and the commitment of Christopher Miles, *&c.* Exchequer. E. 92—104.

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6 Car. I. Nicholas Gower *v.* Philip Burge and Richard Blanford. For trespass in erecting sheep-pens on Goldhill. Bill in the Exchequer. E. 105.

7 Car. I. Nicholas Gower *v.* Philip Burge, Richard Davis, Richard Blanford, Anthony Streete, John Grey, William Swetnam, John Legg, Henry Clerke, Nicholas Elliot. Gower's affidavit that the defendants were disobeying an order of the Court made 23 Nov., 22 Jac. I., by erecting sheep-pens and standings. Exchequer. E. 106—121.

11—14 Car. I. Philip, Earl of Pembroke and Montgomery, complt., and the Mayor and Burgesses of Shaston, Nicholas Compton, Richard Hurman, William Hurman, Ambrose Burleton, William Burlton, Christopher Weare, George Chaldecott, John Kinge, Albinus Mustian, Peter King, William Bursey, John Bennett, Thomas Snelgar, Philip Hilsdon als Burge, Anthony Streete, John Legg, William Rane, John Dampney, John Greene, John Downton, William Kinge, Joseph ffisher, Thomas Kinge, Richard Swetnam, Robert Mettyard, Henry Clarke, John Capper, Nathaniel Pratt, Robert Haskoll, Nicholas Cooper, defts. Bill of Complaint in Chancery. E. 122—133.

12 Car. I. Sir John Bancks, Attorney General, *v.* Nicholas Compton *et al.* An information that Nicholas Compton was not duly admitted to the office of Mayor. Quo Warranto. E. 134—141.

13—15 Car. I. Philip, Earl of Pembroke, plt., and the Mayor and Burgesses of Shaston, defts. An action for trespass.* E. 142—145.

These papers consist largely of the depositions of witnesses examined for or against the alleged privileges of the Borough, and of Briefs, or Breviats, of the Counsel employed for the defence. The suits may be divided into two classes,—those which were of the nature of a Quo Warranto, and called in question, on behalf of the Crown, the exercise by the Mayor, in virtue of his office, of certain privileges as to markets, weights, stalls, shambles, and courts of justice, to which he claimed a prescriptive right,—

*Miscellaneous Papers connected with the preceding Suits and other minor actions are comprised in E. 146—162.

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and those which were brought by the Grantees of the Manor, the Earls of Pembroke, and their lessees, for trespass upon their market rights, or upon the soil of the wastes and streets.*

During the major part of the period in question the thorn rankling in the side of the Town was one Nicholas Gower, sometimes called Gore, of Motcombe, gentleman, who, like his father, William Gower of Shaston, yeoman, before him, held by grant or lease certain privileges within the Borough, and seems to have farmed from the Earls of Pembroke their rights in regard to the Markets and Fairs.†

It has already been pointed out, on an earlier page, that Queen Elizabeth, on the 2nd of August, in the 27th year of her reign, had granted to Theophilus Adams and Thomas Butler, gentlemen, the stalls and shambles with their appurtenances and profits in the town of Shaston, at a yearly rent of 6s. 8d., and that on 27th of the same month they in their turn constituted William Gower their attorney, to grant leases of the premises, and collect the said profits.

The first collision was occasioned by a lease from William Gower, by which he purported to demise for four years to Edward Vaughan " 22 shopas carnificales Anglice voc' flesh shambles " in Shaston, situated between the tenement called the Olde Guylde Hall, on the South side, and a house called le Clemale House on the north, 31st March, 32 Eliz., 1590. Vaughan was promptly ejected by one Robert Hayne, and, in an action which he subsequently brought against the latter, was non-suited. This result is not to be wondered at, as the Common Wardens of the Town had long been accustomed to grant leases of the Shambles, as may be

*The suits last-named are concisely summed up in a petition from the Mayor and Burgesses, early in 1631, to the Rt. Hon. Philip, Earl of Pembroke, " Who in all humblenesse informe yor Lopp that one Nicholas Gore and his father deceased for 40 yeres last past have alwaies laboured to intitle your Lopps noble father and brother deceased to the soyle and inheritannce of the Guildhall, markett house, the profitts of faires & m'ketts, diu'ers flesh shambles and other staulls and standings w'thin the said Towne of Shaston." E. 110.

†Nicholas Gower was described as of West Wicombe, Bucks, 30th Jany, 12 Jac. I., 1615. At a much earlier date, 31st May, 25 Hen. VI., Joane, daughter and heiress of Nicholas Gore, executed a quitclaim in respect of a messuage in S. Peter's, Shaston, to John Cockes *alias dict.* John Tonker. D. 49.

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seen in the indentures, D. 81 and 85, dated 1530 and 1541 respectively.

On the 9th July, 2 Jac. 1, 1604, a new Charter had been granted to the Town, by which various privileges were bestowed and confirmed. Whether it was the case that owing to this Charter the newly-established Corporation had formed an exaggerated idea of the rights it had received,—or whether the notion had gradually arisen that the Mayor and Commonalty were the residuary legatees of privileges which had previously belonged to the Lady Abbess, does not appear,—but, be this as it may, on 3rd Feby., 1607, an information was laid in the Exchequer Court by Sir Henry Hobart, Knt., Attorney General,—who had been set in motion by Nicholas Gower, as an informer,—complaining that, without warrant from the King, the Mayor and Burgesses had set up weights or balances in the open market, at which they required all merchandize to be weighed, and had also taken the rents and profits of stalls and shambles there. What happened to this suit is not clear from the papers in the Municipal Chest, but not long after, in Easter Term, 6 Jac. I., 1608, the Attorney General presented an English Bill in the same Court against the Mayor and his two immediate predecessors in office, in which it was set forth that for the space of three years past the defendants had without authority set up a common beam or balance for weighing wool, yarn, and other merchandize, on every market day, and had taken for every 30lbs., called a "way," one penny, and for every half-weight, ½d.; and also that they had intruded upon the King's soil and the shambles and stalls there, being about 50 in number, and had taken the rents and profits thence arising.

The 9th year of King James sees either the old suit of Quo Warranto revived, or a new suit of similar character instituted, and here, in addition to the points above named, some further allegations are more clearly set forth,—viz., that the Mayor and Burgesses have held a market every Saturday, and have taken therein tolls, custom, profits, stallage, and piccage;—and have held a fair, called S. Martin's fair, on the vigil, festival, and morrow of S. Martin,—and have also held a Court of Piepowder on the three days of the fair, and also in the Saturday's markets,

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and received all the profits of the said Court. The defendants in reply pleaded that time out of mind the Mayor and Commonalty had been a Corporation by prescription, previous to the grant of the Charter of 1604, and had been seized of divers messuages, gardens, houses, and shambles, within the Borough, held of the King or the Abbess, in fee, by certain chief rents still paid to the present grantee of the Manor; and also seized in fee of the other privileges in question, including the weekly Saturday's market, excepting such Saturdays as shall fall out to be four days before or four days after the feast of S. John the Baptist, at which time it was acknowledged that the Mayor had no jurisdiction, as the Midsummer fair belonged to the King. They also claimed that every owner of a tenement had the benefit of the waste and streets before his own house, as parcel of the tenement, being chargeable to repair them, and that the other wastes in the market places belong to the Mayor and Burgesses for the same reason. When, however, the case came on for hearing in Easter Term that year, the Mayor and Burgesses were thrown on all points, except that they were found to be seized of "les stall et les shambles" *in dominio suo ut de feodo sibi et successoribus suis.* This was evidently a leading decision in regard to the position of the Corporation, and is repeatedly referred to in the course of subsequent legal proceedings.

Only four years were allowed to elapse before Nicholas Gower, the *bête noir* of the Corporation, began to call the Burgesses to account for their alleged infringements of this decision of the Exchequer Court. His affidavit, presented in Court in Easter Term, 13 Jac., 1615, sets forth that Hugh Gibbes, who occupied a house called the Lamb, on Goldhill, had erected sheep-pens on the waste, or street, before his tenement. The Court, however, discharged the defendant, on the ground that the offence did not come within the matters determined by the recent judgment, and 13th May, that year, directed the plaintiff to exhibit a Bill against the defendant and the Mayor and Burgesses, upon which the Court would come to a decision. Gower, however, the mere lessee of the market dues, had no intention of indulging in the expensive pleasure of a suit-at-law. This, if brought at all,

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must be set in motion by the Lord of the Manor. Since the attainder of Sir Thomas Arundel, the Manor had been held by the Earls of Pembroke. William, Earl of Pembroke, had obtained the grant of the Manor by Letters Patent, dated 27th April, 7 Edw. VI., upon whose death on 17th March, 1569-70, it descended to his son Henry, the 2nd Earl, who by deed dated 1st Dec., 21 Eliz., 1578, conveyed it to the use of Mary, Countess of Pembroke, his 3rd wife, for her life, with remainder to himself and his heirs. She long survived her husband,* and on her death, 25th Sept., 1621, the Manor devolved upon her son William, the 3rd Earl, whose brother Philip succeeded to the enjoyment of it as 4th Earl, in 1630. At the date of Gower's affidavit the Manor was thus held by Mary, Dowager Countess of Pembroke. It was not, however, till 17 Jac. I., that is to say, four years after the directions given in response to the affidavit, that any action was taken by the owner of the Manor. Meanwhile an effort was made to submit the matter of the sheep-pens to arbitration, in the following terms.

"Wee whose names are under-writen doe for as much as concernes us and eyther of us consent and agree, That the matter in question concerninge the Sheepe penps in Shaston be ordered arbitrated and ended by the Hoble Sr Henry Montague Knight Lord Cheife Justice of the King's Bench and Sr Henry Hobert Knight and Borronett Lord Cheife Justice of the Comon Pleas, Decimo Junij 1617."

This was signed by Edward Stourton, Tho: Arundell, John Nicols, Mayor, John Grove, Thomas Benett, William Grove, Richard Hurman, Joseph Bower, Edmunde Mayne, and William Burleton. E.55. This well-meant attempt, in connexion with which the Draft Charter, A.15., already described in an earlier page, was probably compiled, must have failed, for an English Bill was exhibited in the Exchequer Chamber by the Countess, with whom her son William, then Earl, was also joined, against the Mayor and Burgesses of Shaston, by particular names, by which she claimed, *inter alia*, the streets, ways, and waste grounds, and the profits, stallage, *&c.*, within the town, and alleged that her farmer, that is to say, Nicholas Gower, ought to enjoy the profits.

*Henry, 2nd Earl of Pembroke, died 19th January, 1600-1. A copy of his "Inquisitio post mortem," taken at Devizes, 22nd April following, so far as relates to the Manor of Barton and the Borough of Shaftesbury, is found in A. 12.

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This cause came on for hearing in Michaelmas term, 19 Jac. I., 1621, and occupied two whole days, when, upon 15th Dec., the Court in the result ordered that an action should be brought at the Common Law (at the Common Pleas Bar) against William Hurman, one of the defendants, for a sheep-pen erected by him in Bleeke Street, against whom and one Edward Lush a trial had been had, and a verdict formerly passed, the said action to be for trial of the right of the soil of the said sheep-pen only:—and also directed that the right of the soil of the Guildhall should be tried at an action at Common Law, against any of the defendants. Meanwhile the possession of the Guildhall, *&c.*, should remain as before.*

It was at this time that the Mayor and Burgesses, casting about for assistance from their powerful neighbours, addressed a humble petition to the Rt. Hon. Thomas, Lord Arundel, of Wardour,

"As well for themselves, but especially on the behalfe of the poor people inhabiting w'thin the saide Towne. The said Towne hath been continually vexed wth suits in lawe for and concerning the Bouchers shambles, ffyshe Crosse and sheep pens by the space of 30 yeere att leaste by Gower the father and Gower the sonne (as informers) to the utter impouerishing of the said Towne.

The Towne by reason of those vexations is growne aboue 200li. in debte, there are aboue 300 begging people to bee releaued, and there are not aboue thirty howseholders in all the towne able to giue releiffe."

They pray him to

"Vouchsafe to moue the said noble judges that the Towne may farme the p'fitts of the said Marketts from the noble Countesse of Pembrooke att some reasonable improved rent." E. 83.

In Easter Term, 21 Jac. I., 1623, the trial in regard to the soil of the sheep-pens in the streets was heard at the Common Pleas Bar in the suit of William, Earl of Pembroke, *v.* William Hurman, (the Dowager Countess having now deceased,) and after full evidence and a whole day spent thereon, the plaintiff was non-suited.

In following the course of these proceedings the mention of a distinct suit, probably instigated by Gower, has been for the moment omitted, for in the meanwhile, on 20th May, 14 Jac. I.,

*This is the only allusion to the Shastonian litigations which occurs in Hutchins. See Vol. iii., 13.

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1616, the Attorney-General, Sir Francis Bacon, had laid an information against the Mayor and Burgesses, by way of Quo Warranto, before the Court of Common Pleas, alleging that the defendants had taken the profits of the Fish Cross and of the stallages and shambles, *macelli*, in the town of Shaston. This introduced a new matter of dispute, but the town appears to have been successful in the action.

A morsel of local history comes to light in the course of these proceedings, which it may be well to place on record. The Fish Cross, which stood "a little beyond the Town hall, to the west," (Hutchins, iii, 43.) and was removed about the year 1780, was in the hands of Queen Elizabeth, 15th July, 37th of her reign, 1595, at which date she granted it by Letters Patent to John Budden, elsewhere called Boden, and James Sharrock, their heirs and assigns for ever. James Sharrock died 20th Feby., 35 Eliz., 1593, and John Budden, who was seized in fee by survivorship, died 10th Aug., 1615. The Fish Cross then descended to Jane Budden, his daughter and heir, wife of William Grove, Esq., and this William Grove, who was Recorder of the Borough from 1614 or 1615,* became seized thereof in right of his wife. The Mayor and Burgesses took the profits of it by licence of John Budden during his lifetime, and since his death by the leave of William Grove. This Fish Cross is described in depositions, 15 Jac I., E. 52., as being built of stone, and covered with lead, and always enjoyed and privileged by the Mayor and Burgesses, for which a chief rent has been yearly paid at Michaelmas, when the chief rents are paid.

On referring back to the English Bill, exhibited, 17 Jac. I., by the Countess Dowager of Pembroke, some further particulars of interest may be gathered, relating to the Borough.

A pretty little quarrel seems to have arisen over the Old and New Guildhalls. The Old Guildhall was "the last house adjoining to the Park wall, west of Goldhill Cross," (Hutchins, iii, 7,) and in this building the Court Leet had been held before the erection

*In a deposition or answer, dated 1619, William Grove, Esq., confesses that he has been Recorder of Shaston for the space of five years last past. In Hutchins, iii, 17, no mention is made of him in the list of Recorders there given, to which his name must consequently be added.

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of the New Guildhall. The latter building is stated to have been erected 40 years before 6 Jac. (or 50 years before 17 Jac.) *i.e.* about 1568 or 1569, at the common charge of the Town,* and stood in the Corn Market, to the north of S. Peter's Church. It must be carefully distinguished from the present Guildhall, built on a different site in 1827, where the Goldhill Cross formerly stood. Both the Old and New Guildhalls were claimed as the possession in fee of the Mayor and Commonalty of the Borough.

It is stated in the Bill in the Exchequer Chamber, 17 Jac. I., 1619, that on a Law-day, or Court Leet, held on the Friday after Michaelmas, 1618, William Grove, Esq., the Recorder, John ffoyle, gent., John Nicholls, William Cooke, Richard Hurman, William Hurman, William Style, Thomas Snelgrove, William Burleton, John Swetnam, and William Hurman, inhabitants and principal Burgesses, would not permit Robert Moore, Esq., the Earl's Steward, to enter the *Old* Guildhall, there to hold the Law-day, or to nominate or approve the Mayor, Constables, and Bailiffs of the Manor, Borough, or Town, or to administer their oaths to them, according to ancient custom, but that same evening, *in the Earl's House called the New Guildhall*, they made the said elections, and administered the oaths to the persons elected, among whom was John Swetnam, elected to be Mayor. In answer to this charge the Mayor and Burgesses justify their election, and state that when John Swetnam was chosen Mayor, and presented at the Leet on the Friday after Michaelmas, 16 Jac. I., the Steward refused to give him the oath, unless in the *Old* Guildhall. The Mayor was then sworn before the old Mayor, (as provided in the Charter) in the *New* Guildhall. This contention is probably not so childish as it may at first appear, and may be taken as evidence of the struggle of the Corporation to emancipate itself from the jurisdiction of the Manorial Lord.

*It is stated in Hutchins, iii, 41, that the New Guildhall was built by Edmund Bower, a great benefactor to the Town, about 1578. The statement in the text above is taken from the pleadings, which also assert that Bower, Mayor, built the Butter Cross 40 years before 6 Jac. I., and the inscription formerly on the Butter Cross, (as given in Hutchins, p. 43,) states that it was built in 1562 by Edmund Bower.

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But little time elapsed after the settlement of the pending legal disputes, and ere the town was able to enjoy a short respite from litigation, before the indefatigable Gower was again in evidence, with an affidavit to the Court of Exchequer that he was interrupted by divers Burgesses in his stallages in Saturday's Market, contrary to the decision given in 10 Jac. I. This affidavit was made 5th Nov., 1624. The spirit of the townsmen seems by this time to have been well nigh broken by these incessant attacks, for in a petition dated 10th Nov., 1624, to the Rt. Hon. William, Earl of Pembroke, Lord High Chamberlain of His Majesty's Household, the Mayor and Burgesses speak of themselves as those

"Whoe in all humblenes cast themselves att yr Lops feet unfeinedly desiring yr Lops gracious acceptation of this their submission and supplication unto yr good Lorp for the settling the peace and future quiett of that poore populous & allmost ruined towne. It hath been the unhappines of this poore Towne for the space of neere 40tie yeers last past to have been ever defts in many Suits p'secuted against us in the name or under the Tytle of your Lop and yr noble progenitors." E. 87.

Gower, however was not a man to be turned aside from his purpose, for he promptly struck another blow in the form of a second affidavit, dated 22nd of the same month, "for interruption in Martin's fayre last." Whether or no the Corporation had lost all energy to defend itself from these rancorous and incessant attacks does not appear. Probably this was the case, for on the very next day the Court made an order that the "mouable stalls shall be taken within the iudgment for stallages in the Quo Warranto," leaving only the *fixed* stallages or stalls to the Mayor and Burgesses,—an order to the prejudice of the townsmen, which seems to have caused considerable trouble. It is needless to say that this order was not obeyed, and certain Mayors and Burgesses from time to time stood charged with contempt of Court. It would be tedious to follow the intricate windings of these proceedings, the interrogatories administered to witnesses, and the petitions to the Earl of Pembroke, or the further affidavits of the pertinacious Gower, who was forward with another complaint, 6th May, 1631. On this occasion, however, he was not successful, for when the matter had been kept alive until 12th May the following year, the Court at length virtually put aside its former order of 23rd Nov., 22 Jac. I., 1624, and having taken

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into consideration the orders and verdicts already made or obtained, decided that it would not proceed against the parties charged with contempt, and ordered their discharge, and directed that Gower might, if he pleased, proceed with an action or trial at law "for the right and title of the things by him claymed." E. 121.

Other suits subsequently followed, in one of which Philip, Earl of Pembroke, again raised the question of his title to the soil. Into these it will not be necessary to descend. They have been already enumerated on a previous page. It is evident that the inhabitants of Shaftesbury must have had a disturbed half-century, and in all probability it was only the sound of armed strife, when the town was occupied by the Parliamentary leaders in the Civil War, that finally hushed the contention of the Courts of Law.

One suit, however, deserves mention, as it was of a different character, and bears upon the custom of the election of the chief Magistrate. Richard Rives, Mayor of Shaftesbury, died while in office, 24th Novr., 10 Car I., 1634, and immediately upon this occurrence Nicholas Compton was elected in his room, 2nd December, and in the Guildhall before William Whitaker, Recorder, and the Common Council, in the absence of William Hussey, Esq., then Steward, and his deputy, according to the form specified in the Charter of 1604, took the oath of office. Objection was raised to this manner of election and of taking the oath, particularly to the latter, as not being administered by the Steward of the Leet, and eventually an information in the nature of a Quo Warranto was laid by the Attorney General, Sir John Bancks, against Nicholas Compton and others, Burgesses of Shaston, in Easter Term, 12 Car. I. This cause was still alive in Michaelmas Term, 15 Car. I. The point of objection appears to have been that the newly-elected Mayor took his oath neither before the Steward, nor before the outgoing Mayor, as directed by the Charter. He was thus never rightly Mayor, and from this it followed that his successors, George Chaldecot, William Burleton, and William Warmington, chosen respectively in the 11th, 12th, and 13th years of Charles I., were elected by the Capital Burgesses

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and Common Council only, no rightful Mayor being present or in existence, and so were not duly elected.

How peace was finally made between the Corporation and the Lord of the Manor seems to be indicated by a deed which, according to the Council Minute Book, was extant in the Town Chest in 1704. It is called "A grant from the Earl of Pembroke of the Fairs and Marketts," and three years later it is again referred to as "the ffreehold Lease from the Lord Pembrooke to the Corporacon." If this were still in existence it would be possible to trace the final issue of a long protracted controversy.

The following miscellaneous facts relating to the Borough, culled here and there from statements made in the course of the legal proceedings, may now be put on record.

THE CORPORATION. In 1619 the Mayor and Burgesses allege that the Borough and Town of Shaston is an ancient Borough, and that time out of mind, until 9th July, 1604, the date of the Charter, there have been a Mayor and Commonalty, incorporate by that name, who have impleaded, purchased lands, goods, *&c.*, to them and their successors, and disposed of them at their wills and pleasures, as a perfect body politique, and have had a common seal.

That they have used on the Monday next after S. Bartholomew's day to elect one of themselves to be Mayor, and the Friday after Michaelmas day have presented him to the Steward of the Leet, not as chosen by the said Leet, or by the Steward, or Lord of the Leet,—to be sworn as an officer to his Majesty. That neither the Steward nor the Lord has power to disallow the person elected. The Lord of the Manor held two Courts Leet in the course of the year, of which this was one. They were held in the old Guildhall until the new Guildhall was built, and afterwards in the latter. That the Mayor and Commonalty have been seized in fee of divers messuages, houses, gardens, buildings, and waste grounds, viz.: the old Guildhall, the new Guildhall, erected at their charge 50 years since, the Shambles, Fish Cross, Butter Cross, Corn Market, and divers waste grounds in the streets, *&c.*, adjoining the said places, Chapmen's Standings, and Tanners' Standings.

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It was stated in depositions taken in April, 18 Jac. I., 1620, on the part of the Countess Dowager and Earl of Pembroke, that the Jury at the Michaelmas Leet were charged to present a Mayor and other officers to the Steward, and the Steward sweareth them. But the Burgesses used to choose the Mayor who is presented by the Jury. The Maces are brought in at the Lawday, and laid upon the board. Then the Steward administers the oath to the Mayor, Constables, Bailiffs, and other officers. Then the new Mayor takes up the Maces laid down by the old Mayor, and hands them to whom he shall please to make his warrant. The Mayor and Constable's oath is to serve the King, but that of the Bailiffs to serve the Lord also. The Mayor hath no Mace carried before him at Midsummer Fair, or four days before and after, nor any arrests or courts. In going in the streets the Sergeants go first with their maces, then cometh the Mayor alone, then followeth the Steward and Recorder together, and in court the Mayor ever had the upper hand of the Steward. Before the new Incorporation, or any Recorder was there, the Mayor in the streets ever took the upper hand of the Lord's Steward.

It is stated in 6 Jac. I. that the Mayor doth weekly on Saturdays keep a court in the new Guildhall. Before the new Incorporation the Mayor and Commonalty held every Saturday (except Christmas day, and four days before and after Midsummer) a Court of Pleas for debts, trespasses, contracts, *&c.*, under 40s. During the Midsummer fair a Court of Piepowder was held continuously by the Steward, upon whom then devolved all the jurisdiction of the Mayor and Corporation, and to whose custody all the prisons and keys should be and are surrendered for the time being. (1620.)

The Common Wardens were yearly elected by the Mayor and Commons. They collected the rents and profits of the Commons' lands, made leases of the Butchers' Shambles and of the Fish Cross, kept accounts and laid them before the Mayor and Burgesses, and at the account day a dinner was prepared for the poor, "which of late [6 Jac. I.] hath beene turned into money and clothes for the poorest people."

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HOUSES AND OTHER BUILDINGS IN THE BOROUGH. It is stated in 1620, on behalf of the Corporation, that "The Corne Markett hath a faire timber building covered with lead and a bell in it, the inheritance of the Mayor and Commonaltie."*

There are many freeholders and lords of houses in the Borough, who have used to repair the pavement right before their houses and lands unto the channel, and have used to take the profits of piccage and standings set before their houses and lands, on fairs and market days, leaving a convenient way for passengers. Saving the owners of the said fairs and markets have used to take a penny (called "Shew-penny") every market day, for shewage of everyone that did set up a standing there. Goore hath increased it to 2d.

The Earl and Countess Dowager of Pembroke have eleven houses in the High Street, from near the Starr downwards to the Angell,—eight houses or gardens in Salisbury Street,—six houses in St. Lawrence Street,—five houses in Marie Greene,—and several waste places without the Park wall and Abbey wall, and in Marie Green. On behalf of the Countess, at the same date, it was deposed that "everie signe post paieth yearely to the Lord iiijd. att Mich.: there are eight old signes and one newe."

In regard to chief rents due to the Lord of the Manor, the Corporation state (13 Car. I., 1637—8) that "The yearlie rent for the ffish Crosse is 3s. 4d. and for the Shambles 20s. 4d., after the rate of 1d. for eu'y foot in length. . . . Ther is 5s. yearlie chief rent paid for ye Chapmen's Standings, and 2s. 4d. more for the Tanners' Standings." See page 30.†

In 15 Jac. I. 1617—8, it is deposed on behalf of the Mayor and Burgesses that the Countess of Pembroke has 40 Burgages or

*25th April, 1684, it is ordered "That Oatemell Row bee taken doune and the lead and materialls thereof bee putt in some convenient place in the said Burrough." Corporation Minute Book.

†At a later date the chief rents stood as follows.—"27th Feb. 1705, pd my Ld Shaftesbury's chief rent for ye ffish Cross, &c., 9s. 10d." "6th Oct. 1706, pd Mr. Wyche p ye Lord Shaftesbury's cheife rent, 13li. 06s. 8d., and deducted 2li. 12s. taxes, pd. in moneys 10li. 14s. 8d." (Corporation Minute Book.) A receipt for sum last named, (2li. 12s. for land tax being previously deducted,) occurs in C. 19, 11th March, 1744, and another on 8th October for 9s. 10½d., "one year's Quitt Rent due at Michaelmss last to ye Earl of Shaftesbury."

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tenements in the town, and divers parcels of land amounting to 200 acres at least. That there are 28 butcher's shambles, substantially built with timber, and covered with tyle or board, and always enjoyed and repaired by the Mayor and Burgesses, or their tenants. That there are 22 moveable standings usually set up every market day, whereof the Countess has the profit. E. 52.

MARKETS. Goldhill is a market place for Rother cattle, sheep, and swine.' The weekly market is kept in the High Street and doth extend from the Starr Inn to the Lane next before the Swann, called Mustions Lane. This High Street is a common way, for carts, carriages, and all travellers from London to the Mount, westwards. Gore hath been known to require toll for corn, brought into the said market, and take from the chandlers, that brought candles thither to sell, a pound of candles apiece for their standing there, and two iron pins from a smith, "to the great clamor of the cuntrye." He has also taken money for butter and cheese, and of the chandlers and smiths iiij^{d}. every quarter, and of some vi^{d}. "Longman sayeth he tooke by force from him six knives and a paire of cardes, because hee refused to paye for his standing." (1620.) Mention is also made at this date of "Palmeson market," in addition to S. Martin's and Midsummer fairs.

William Burleton on behalf of the Corporation deposes, in 1619, that the toll and custom usually paid for salt at S. Martin's fair unto the Lord of the fair was 2d. for every load of salt That the Bailiff of Shaston has time out of mind at S. Martin's fair given bread and beer to the owners of the salt carts coming thither, and in lieu thereof the owners of the salt carts have usually given the Bailiff a peck of salt out of every cart.

In 15 Car. I., 1639—40, "The takeing of a peece of bull beefe, (viz., three bones called the fore rib) in S. Martin's fair, from such butchers as kill and put to sale anie bull's flesh without beateing the bull, is justified by the Mayor as by prescription, and as an amercement or punishment uppon the butchers for killing and uttering corrupt or unwholesome flesh, (p. Stat. 51, Hen. 3)." "Bull beefe, unbaited is declared to be unhollsome in the booke

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of assise for bakers, *&c.*, published by the Lords of his mat^ies^ Counsell."

"The second contempt that Gower demanded satisfac̃on from Mr. Haskoll then maior, for bull's beefe by him taken. Mr. Haskoll refused to giue anie satisfac̃on, and said he would iustifie his taking of itt by better authoritie than the Barrons of the Exchequer could giue Gower." E. 101.

The following corrections and additions to the list of Mayors in Hutchins, iii., 15 and 16, during this period of litigation, can be made out from these papers. The asterisk denotes that the names are new.

*William Style, elected 1605.
*Ambrose Burleton, ,, 1606.
*Walter Pitman, ,, 1607.

These are mentioned in the English Bill, 8 Jac. I.

William Cook, elected 1611. E. 18.

(Hutchins calls him Cake.)

John Nicols, elected 1616. E. 55.

(Called Nicholas by Hutchins.)

Richard Rives, died in office, 24th Nov., 1634.
Nicholas Compton, elected in his room, 2nd Dec., 1634.
*George Chaldicot, elected 1635.
William Burleton, ,, 1636.
William Warmington, ,, 1637.

(Called J. Warmington by Hutchins.)

The last five are mentioned in the suit of Rex *versus* Compton.

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CHAPTER 6.

F.

Miscellaneous Documents.

WITHIN the five previous sections have been included nearly the whole contents of the Shaftesbury Municipal Chest, but a few documents remain to be collected which could not suitably be classified under the headings already named.

Here may be mentioned the exemplification, dated 14th June, 34 Eliz., 1592, of an Order of the Exchequer Court of 9th February preceding, for taxing the inhabitants of the Borough for the payment of Tenths and Fifteenths. F. 1. This Order directs that the sum of £12, from time to time due from the Town on this behalf, shall be raised by taxation from the Inhabitants ratably, "according to their abylytyes," and distraint is to be made upon the defaulters, "forasmuch as many of the said Inhabitants are very obstynate and do refuse to be ratably taxed and to contribute being ratably taxed accordinge to theire holds and abylytyes."

Next occurs a Certificate of a rent of vs. issuing out of a field called Coytes, belonging to John Newborowe, and in the tenure of Nicholas Tyther, formerly given for maintaining an Obit of William Coney in S. Laurence's Church. F. 2. See page 39. Subsequently follows a Precept for the collection of Shipmoney,

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4th Aug, 11 Car. I., 1635, F. 5;—A Letter from the Sheriff of Dorset, John Jefferey, dated "Plumbar 10° Octobr 1668," inclosing another letter from the Privy Council, requiring the Sheriff "to signify to the citties and Townes Corporate in the County of Dorset that they do not admitt any person into any office whatsoever in any of their Corporacons, but according to the Rules p'scribed in the Act of Parliamt. 28 Sept. 1668." F. 7;—Two Indentures relating to sized and sealed measures, one measure being a brazen bushel, 13th March, 1670, F. 8, the other a brazen quart and pint, 13th May, 1700, F. 9;—and a Certificate of the election of William Hewes, Esq., to be Recorder,* in the place of John Bowles, deceased, 26th August, 1700. F. 10.†

Notice may also be taken of a bundle of thirty-three bonds, F. 4, in the majority of instances given by persons upon taking up their residence in Shaftesbury, "to have the Burrow harmless," or "for discharge of the town," as they are endorsed; which, with the exception of the example given below, range from 30th July, 1625, to 10th Jany, 1644-5. To shew the nature of these bonds the earliest instance, dated 15th Sept., 1587, 29 Eliz., is here given.

Henry Ryvers of Shaston, shoemaker, John Nicholles *alias* Chaper, of Stower Estower, gent., and Simon Letticke of Shaston, shoemaker, are bound in £40 to William Mason, John Chalcott, and Morgan Senyor.

"The Condicon of this p'nte Obligacon is suche That yf neither the aboue Bounden Henry Ryvers Agnes his nowe wief nor any or eyther of their children

*The following notes are taken from the Corporation Minute Book.

1706. Apl. 4th. Wm. Hewes, Esq., Recorder, declined to attend the Council Meeting, though he was in the Town.

1706. May 2nd. Wm. Bennett, Esq., elected Recorder, and sworn in place of Wm. Hewes, Esq., late deceased.

1707. Dec. 11th. Francis Coles, Esq., elected Recorder in room of Mr. Bennett late deceased. The other candidates were Mr. Dennis Bond, Mr. Thomas Hussey, and Mr. Andrew Loader.

1707-8. Jany 3rd. F. Coles, Esq., again elected, his former election being of doubtful validity.

1711. Dec. 31st. Mr. Recorder Coles is desired to vacate his office.

1711-2. Jany. 18th. Mr. Coles displaced, and Thomas Hussey, Esq., of the Middle Temple, elected in his room.

†F. 11 and F. 12 are respectively a Register of the Mayors, Recorders, Justices, and Burgesses, who have taken the required oaths from 1734 to 1827,—and the Rules and Orders regulating the Court of Record, made 1738.

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nor any other p'son or persons whatsoeu' for by and in respect of them the said Henry and Agnes or any or either of them, Or by their anie or eyther of their meanes or p'curements, doe att any tyme hereafter duringe the tyme of their any or eyther of their aboode wthin the Boroughe of Shaston aforesaid in the said Countie of Dorst, Charge Surcharge or Burden the said Boroughe or any of the inhabitantes therof contrary to their good will and liekinge, concerninge their any or eyther of their meate drinck diett or any other Lyvelehood by anie meanes whatsoeu'. And alsoe doe and shall vppon reasonable monycon and warninge vnto them or any of them geven by the Mayor Cunstable or anie other officer for the tyme beinge wth the full consent and agreament of the Masters and Bretheren* of the said Boroughe vppon any offence contrary to the trewe meaninge herof, remove themselves and depart from the said Towne and Boroughe of Shaston wthowt anie further molestacon and delaye; Then this p'nte Obligacon to be voide ffrustrate and of none effect, Or els shall stand remaign and abide in his full power force and strengthe. × John Nychols × Signed sealed and all' in the p'sence of John Nicholles the yonger. Jo. Foyle. 1587."

The Chest is, however, remarkable as containing no documents referring to the election proceedings for which Shaftesbury was in former years so notorious. One would certainly expect to find some allusion to "Punch," who handed parcels of twenty guineas to independent electors, and who was shrewdly suspected to be Mr. Alderman Mathew. Such documents are entirely absent, and not a single scrap of paper relating to them has come to light, and the impression is thus produced that, if ever in existence here, they have been carefully destroyed or removed. The whole Parliamentary history of Shaftesbury is illustrated by two documents only,† F. 3 and F. 6. The former is a copy of an indenture made 6th March, 18 Jac. I., 1621, between William Swetnam, gent., Mayor, and other Burgesses, and Sir Nathannel Napper, Knight, High Sheriff of Dorset, witnessing that Percy Harbert of London, Esq., and Ralph Hopton of Wittam ffrarey, Somerset, Esq., have been elected by the Mayor and Burgesses to serve in the present Parliament, begun at Westminster 30th January. It has this much of interest attached to it, that the election in question was a bye-election, to fill the place of Thomas Sheppard and

*A similar expression, "inhabitants and of the fraternity of the same Burrow," occurs in an indenture of 18 Sept., 1597, cited in A. 13.

†The document, A. 13, already referred to, contains a memorandum of an indenture, dated 18 Sept., 39 Eliz., [1597], witnessing that Arthur Vanner, Mayor, Morgan Senior, William Mason, Stephen Hartford and John Compton, had elected....., [to serve as Burgess in Parliament]. This would refer to the election of Francis James, Chancellor of Bristol.

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William Baker or Beecher, of London, Esqrs., who had been expelled the House.

The other document, F. 6, is of more importance, as it relates to the election of John Fry, one of the Regicides, as a representative of the Borough. It will be well to give this document at length, as it shows that Fry did not carry the whole of the constituency with him.

"Nicholas Compton, George Chaldecott, John Toomer, gentl', three of the Capitall Burgesses of the Burrowe of Shaston wth diu'se of thenhabitants of the said Burrough, are plts in Parlyamt.

James Baker, Mayor of the said Burrowe, Xpofer Weare, Wm. Swetnam, Willim Hurman, Wm. Warmington, Joseph Dade, Stephen Sturmye, Robert Metyard, and John Cole, gentl', Capitall Burgesses, defendts.

The plts by thier peticon to the hoble howse of Comons shewe that the said Maior and Capitall Burgesses haue vniustlie & vnduely elected John ffrye Esqr. a Burgesse for the said Burrough to serue in this p'sent Parliamt. And alsoe they further charge them. 1. first that the defts did not obserue and keepe the daye appointed by the Sheriffe of the Countie to make thier Eleccon. 2. secondlie that they did yt by combinacon and that thier Eleccon was a secrett Eleccon wth out notice giuen to thenhabitants.

To the first the defendts Answere that the Sheriffe had not power to sett them a daye, neither were they bound to obserue yt.

To the second they absolutelie denie all Combinacons. And touching the secrett Eleccon they answere and are readie to Justifie that their Eleccon was as publique and openlie donne & made in thier Comon hall as ever any Eleccon was made, and according to thier vsuall Custome, and all the Electos p'sent, and everye man freelie voted and consented to the Eleccon, and to the Retorne thereof was made and donne accordlie.

Obieccon. That former Eleccons And retorns haue bin made by the Mayor and Burgesses wth the Consent of the Comonaltie.

Answ. To this the defts answere that the Maior and Comonaltie were & haue bin a verie Auncient Corporacon, undr that tytle, and a select Companye, As the Maior and Burgesses now are, As it doth appeare by thier Chartr granted 2 Jacob. And by former auncient Chartrs and records readye to be p'duced.

Alsoe vnder these tytles of Maior and Comonaltie, and Mayor and Burgesses, thier lands haue bin leased and granted, wch are & were eu' a select Companye, and not by the multitude.

Obiect. that Burgesses for the Parliamt were Elected and retorned by the Comonaltie wthout the Maior.

They answere that there was neu' any such Eleccon, nor retorne made, And if any were in a case of necessitie, the Towne being without a Maior, they hope this cannott barr them of thier Auncient priuiledgs.

Quer. Whether the plts Peticonrs shall be witnesses in thier owne cause."

This John Fry was the head of a family seated at Tarrant Gunville, and it appears from the Journals of the House of Commons, that though a writ to elect a new member in the place

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of Col. Star, deceased, was issued 15th Oct., 1647, yet still, so long as five months after, viz., on the 21st March, 1647-8, the "whole business concerning the election of Shaftesbury was referred to the consideration of the Committee of Privileges," and it was not till 26th September, 1648, that John Fry is mentioned, when he was present at a call over of names. In a statement of accounts, dated 2nd Dec., 1648, C. 14, the following sentences occur; "Pd for Carrage of ye Charter to London and Backe, o. 4s. 6d. Restinge due beeside seven and fower pence wch mounys was disbursed at London aboute our Burgess Mr. ffrey, o. 7s. 4d."§

It is worthy of note that no reference is to be found among the foregoing papers to disputes of a religious character,—in fact, the only allusion to such matters is a sentence referring to one William Hopkins, a relation of Nicholas Gower, the great enemy of the Corporation, of whom it is stated in 1632, "William Hopkins is Gower's son-in-law, a Brownest, and will not come to church."

The following persons are incidentally mentioned in the documents comprised in the present section as holding the office of Mayor. All, except the first and last named, are taken from the bundle of Bonds, F. 4, and 5 of them are additions to the list in Hutchins, iii., 16. These, added to the 27 names on page 43, and the 4 names on page 61, give a total of 36 Mayors hitherto unnoticed, who have come to light in the present examination of the Municipal Records.

Apparent date of Election.	
1620....	William Swetnam*
1627....	Nicholas Compton
1628....	Nicholas Cooper*†
1633....	William Swetnam*
1637....	William Warmington
1638....	Christopher Weare*
	Nicholas Cooper‡
1641....	William Swetnam*‡
1642....	John Toomer
1643....	Stephen Sturmye
1647....	James Baker

§Further particulars respecting this representative may be gathered from an Article in Notes and Queries for Somerset and Dorset, Vol. i., pp. 53 and 73, by Mr. E. A. Fry, of Yarty, King's Norton, Birmingham.

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*Not mentioned by Hutchins at this date. †Hutchins dates him 1629.

‡Nicholas Cooper occurs on 8th April, 17 Car I., [1641], and William Swetnam on 28th March, 20th April, and 8th June, 1642. Hutchins says that William Swetnam, elected in 1640, died in his Mayoralty, and that Nicholas Cooper, in March, 1641, was sworn in his room. This statement may be a mistake, so far as William Swetnam is concerned, for the Bonds show that one of his name was acting as Mayor in 1642, as already mentioned.

It will be impossible to bring the present report to a conclusion without calling attention to the earliest existing Corporation Minute Book, which has already been cited in the preceding pages. It is a matter of regret that this volume, which is in an exceedingly fragmentary and imperfect state,—the leaves rotten and detached from the cover, does not begin before the last day of March, 1663. The minutes then run on until 4th March, 1679-80, and recommencing 24th April, 1684, soon after the date of the new Charter, are continued until 9th December in that year. A single entry is then found recording the election, 25th May, 1688, of William Durnford as Coroner, in the room of Edward Atwell, after which no minutes occur until 31st Decr., 1701, from which date they run continuously.

The most interesting particulars that this rapidly decaying volume contains are here placed on record, with a view to their preservation.

On the Monday after St. Bartholomew's Day, 1663,

"Some proposalls were made for ye augmentacon of ye Revenues of ye sd Towne, & likewise for an Augmentacon of ye allowance to ye Mayor yeerly in respect of theyr Charges & hospitality for ye honor of ye sd Towne, & in respect that ye profitts of ye Markett & of ye weights formerly beelonging to ye Mayor for ye time beeing, haue of late yeeres been recd & accompted by the Comon wardens of ye sd burrough, & ye Mayor allowed only xli. by ye yeere in lieue thereof while ye sd Corporacon was indebted.

Ordered & Agreed therevpon that ye Comon warden for ye time beeing doe receaue ye whole profitts of ye weights & standings in ye marketts as formerly & accompt yeerely for ye same together wth ye other rents & revenues of ye sd Towne. And that ye yeerely allowance to ye Mayor bee from henceforth (30li.) thirty pounds to bee pd by ye sd Comon warden."

It does not appear how long this Order remained in force, but on 5th Aug., 1702, it is directed that the Mayor receive "his Sallary of Tenne Pounds for his being Mayor this yeere." However, only a few months after, on 7th July following, on account of the Corporation being out of stock, it was ordered that "for

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the future the Sallary of Ten pounds usually payd to the Mayor be no more allowed to any succeeding Mayor." An attempt was also made to cut down the Recorder's salary, which was ordered to be reduced from £6 13s. 4d., or twenty nobles per annum, to £1 1s. 6d., (27th Sept., 1703.) This officer appears to have occasioned some trouble to the Corporation, as may be seen by the note on a preceding page, and the Town Clerk was equally a source of disquietude.*

The primitive manner in which the duties of police were locally performed in the 17th and 18th centuries is illustrated by the entries in this volume.

"23 November, 1667....An Ordr was made for the Belman and Three inhabitants of the Burrough to watch in p'son or finde sufficient p'sons in their roomes to watch with the Belman eu'y night from nyne of the clock att night vntill ffive in the morning. And this Order was to continue vntill the Maior Recordr and Burgesses should thinck fitt to alter the same."

In 1685 it is mentioned that this nocturnal watch is to continue for the winter season, until Ascension Day, and that "The p'sons soe appointed to watch doe nott depart from the Service or watching without Leave before the Tyme they shall bee discharged by the Constables of the said Burrough." Again, on 26th Octr, 1709,

"Ordered that John Pond the Comon Cryer do warn as form'ly the Winter Watch & go wth his bell & warn four p'sons to watch nightly, the watch to commence from All Hollond day next & continue to the Third of May, & that the sume of 20s. be paid him at the end of the sd Terme by the Comon Warden as a gift of the Corporacon for ringing his bell."

The peaceful Burgesses of Shaftesbury, shivering all through the long winter nights, up and down the exposed streets of that upland town, one of which bore the expressive name of Bleek-

*1701. Dec. 31st. Mr. Edw. Atwell, late Town Clerk, is ordered to bring in all the public books, &c.

1701-2. Jany 7th. Whereas Mr. Mervin Bowles, late Town Clerk, has refused to perform the said office, he is declared discharged therefrom.

1702. Dec. 16th. Mr. Edw. Atwell is desired to attend to receive his Town Clerk's place.

1703. Aug. 4th. Mr. Atwell is requested to give his final answer.

1703. Nov. 15th. Mr. Edw. Glasse elected and sworn Town Clerk and Coroner,—to the latter office in place of Edw. Atwell, deceased.

1710. Dec. 14th. Mr. Edw. Glasse displaced from his office of Town Clerk, and Mr. Wm. Goddard elected in his room.

1711. May 23rd. Mandamus, dated 14th May, received from the Queen's Remembrancer's, for restoring Mr. Edw. Glasse to his office.

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street, deserve our commiseration, and 20s. seems an insignificant remuneration for the unhappy bellman, on whom this duty devolved for half-a-year.

Shaftesbury, from the deficiency of its water supply, must always have felt anxiety in respect of fire as well as gratitude to its amateur firemen. Thus it appears that on 13th May, 1707, a gift of 1s. each was ordered to be paid "to the seu'all Water carriers that were assistant att the fire att ffrickers bakehouse," and 5s. to be spent on "the seu'all p'sons that were assistant in stopping the fire, as the Corporacon gift." Again, 18th Septr., 1713, "Ordrd that ye Comon Warden doth pay 16s. to ye Comon Water Carriers of ye sd Bor: who assisted in bringing water at our last fire, vizt., 2s. p Horse according to ye number of Horses then workeing." On 9th March, 1709, it was "Ordered That the Comon Warden doe buy Richard ffreke's ladder and alsoe to buy two more of 34 rounds for ye use of the Corporation in case of ffire and that noe member of the Corporation or any other person doe presume to use them for any Comon occasions, and likewise that the Town Crooks be put in sufficient repair." There was also a fee or fine of 6s. 8d. at this time, to be paid for ringing the Town Fire-bell.

Still, in spite of these drawbacks, Shaftesbury appears to have been a merry place to live in, if we may judge from the festivities which were on various occasions sanctioned by the Council. To begin with, on 16th March, 1701-2,

"The Mayor of this Corporacon having this morning received a Proclamacon from the Sherriffe of this County for Proclaiming the Princesse Anne of Denmarke Queene of England Scotland ffrance and Ireland vpon the Death of his late Matie King William the Third of blessed memory, the said Mayor & Burgesses above named have agreed in Comon Councell to Publish the same this day, aud there being seu'all Gentlemen in and out of the Burrough now attending on the Mayor & Burgesses att the solempnity, that the Mayor doth desire the Gent' to goe to the Red Lyon in the Burrough to drink her Maties health, and in order to itt that there be a dozen bottles of Clarett and halfe a dozen bottles of sacke; that the Comon Warden doth give the musicke five shillings and that there be five shillings in beere for the Constables, Baliffe, Serjts. & Bayliffes man, the expence of all which is now ordered to be paid and discharged by the Comon Warden out of the Towne Stocke."

Then, on the 23rd April following

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"This being the day on which her Matie Queen Anne is crowned Queene of her Maties Dominions in Pursuance of her Maties Proclamacon Published within this Burrough on the last markett day the Mayor and Bnrgesses are now mett to consider how to solemnize the Ceremony this day within the Burrough. And having accordingly considered thereof doe vnanimously agree And Itt is ordered That A Bonfire be made vpon Castle Hill, Peter Pike the occupier thereof having given his Consent, And that a sume not exceeding six Pounds bee expended by the Comonwarden in Wine & Beere to Drinke her Maties health and in fagotts and other thinges suitable to this occasion att the discrecon of the Comon Warden. And that this Boarde doe Imediately meete at the Katherine Wheele att Peter Pike's to drink her said Maties health accordingly."

Another important historical occasion was celebrated at Shaftesbury, when the Council, on 1st May, 1707, met to consider "in what manner to sollemnize the day of Thanksgiving for the Union of the two Kingdoms of England and Scotland," when it was ordered

"That the Corporacon doe goe from the Hall to the Church in their Gowns."

"That the Mayor and Corporacon doe meet at six of the Clock in the evening at the Red Lyon Inn in the said Burrough to drink the Queen's health, and that a sum not exceeding ffour pounds be spent in a treat includeing illuminacons on the Cross & half a hogshead of Beer at the sd Cross for the Inhabitants to drink the Queen's health."

The successes gained in the wars of Queen Anne's reign afforded many occasions for these Corporate Festivities. Dec. 2nd, 1702, 40s. was ordered to be spent "for the publick Rejoiceing on Thursday, the 3d of this Instant, being for the success at Vigo," and the same sum, 28th Aug., 1704, "for the late victory obtayned by the Duke of Marlborough ou' the ffrench and Bavarians att Hockstet in Germany," and on 26th June, 1706, for celebrating the next day the glorious victory in Brabant, by which the victory of Ramilies is evidently intended. On 1st Dec., 1706, £5 was ordered to be expended for celebrating the victories of the year. A modest "glasse of wine" was ordered to be drunk at the George, 19th Aug., 1708, for a victory over the French Army, while £3, 16th Feb., 1708, "for or late glorious successes vnder the Duke of Marberough in fflanders," and a like sum, 26th Oct., 1709, "for the late victory ou' the ffrench Army att Blareguies near Mons, and other the glorious successes obtayned by the Duke of Marlberough and Prince Eugene in fflanders this sum̃er," and, 6th Nov., 1710, "for glorious successes this Campaign in Spain and fflanders."

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Peace, as well as war, opened the purse-strings of the Corporation. Upon the conclusion of the Peace of Utrecht, it was ordered, 14th May, 1713, "on this extraordinary and Happy occasion" that ten shillings be paid to each parish within the Borough for the use of the ringers there, half a crown to each of the musicians, and to the Drummer, and others, and "That ye sd Mayor and Capitall Burgesses do now go to ye Lyon and spend a sume not exceeding four pounds to treat ye Gentlemen and other the chief Inh'itants of this Borough." On the 6th July following it is ordered that the Capital Burgesses do meet at the Mayor's House the next morning, "in their formalities," to wait on him to Church, and it is added, with amusing *naïveté*, that they are to join with him, immediately after dinner, at some public house, "in celebrating and *consumating* ye thanksgiving for the Peace." Four half hogsheads of ale, "for ye Comons of ye Borough" are also to be drunk at four distinct places.

The festive liberality of the Corporation was not confined to residents within the Borough. On 7th July, 1709, it is

"Ordered that a petition be made from the Corporation to the Justices at the Sessions to desire them to allow the Mayor for the time being ffive pounds as usual out of the County Stock *for the relief of Seamen*, and that the Mayor do present the sd Justices with the usuall present of six bottles of wine."

On 14th April, 1710,

"Ordered that the Mayor & Aldermen do meet in Order to waite on the Judges att their Quarters, in their way thro' this town to Sarum Assizes, And that a p'sent of a dozen bottles of wine be sent them att the same time from the Corporacon."

And the Church Authorities were equally favoured with this delicate attention, for 23rd May, 1711, it was

"Ordered that ye Corporacon do forthwith waite on my Lord Bishopp of Bristoll at ye Red Lyon in their formalities, & a p'sent of wine, not exceeding one dozen of bottles, be p'sented to him." "16th Sept., 1715. Ordered that ye Mayor and Capital Burgesses do meet at Mr. Mayor's house in their Gowns to wait on ye Right Rev'end father in God the Bishop of Bristoll, and that a p'sent of one Dozen bottles of wine be p'sented him, and that ye serjts with their maces do attend at ye same time."

During the year 1716 one or more companies of soldiers were quartered at Shaftesbury, for on 19th Jany., 1715-6, it is ordered "That the Comon Warden doth allow the soldiers now in Town one shilling every twenty-four hours for fireing on their keeping

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Guard within ye sd Borough during the extremity of this weather," and on 12th April the New Guildhall is allowed to be made use of as a Guard room, if necessary. Later on, 8th August, a bill of £9 3s. od. has to be paid "for fire & candle to ye Guard kept by ye Companys of ffoot comanded by Capt. Boggest & Capt. Hayes in Brigadier Stomwyx's Regimt." The soldiers are last mentioned on 19th Octr., when 15s. are allowed them to drink the King's health on Coronation day.

The exaggerated feelings of devotion to King George entertained by the Corporation at this time, is expressed in an Address, voted 25th May, 1716, which is a curiosity in its way, as an instance of servility.

"The Humble Address of ye Mayor, Recordr, Capital Burgess', Gents, & other Inh'itants of yor Antient Borough of Shafton al's Shaftesbury in the County of Dorst.

To the King's Most Excellent Maty.

Amongst the rest of yor Subjects hear our congratulacons, Dread Sou'eign, for ye late success of your arms and ye disappointmt of all yor enemies.—'Tis strange that a nation so famed alike for Purity of Religion should ever bring forth subjects so Perjured, so disloyal, and disloyal too, unto a Prince whose wisdome adorns his Crown & for whose happiness.....People, whose mercy confounds his enemys & convinces ye p'judiced....of his obstinate resolute Guilt, whose constant virtue has made him the.....care of Providence & justly deserves auxiliary energy from Heaven; these ornamts call for all our Loyalty, for our utmost obedience, for our active vigilance agt yor Matys and ye Kingdoms enemies, & therefore p'don us for Imploring the Almighty that he may very late translate you our inestimable blessing from this to an eternal Crown above. If war should ever again provoke yor sword may p'petual Triumphs lead yor arms, but rather may everlasting Peace & Harmony surround yor Scepter. May it very late in peace descend to ye....hands of yor Royal issue, and may all yor Kingdoms in this world....in some measure to recompence yor absence from imortal Bliss."

With this address to that "inestimable blessing," George I., the report on the Shaston records must now close. In the sketch given in the preceding pages the Writer has endeavoured to bring to light the points of interest contained in this collection, and to show how worthy of examination and preservation even the least promising hoard of ancient documents may be found to be, and what a valuable contribution it is capable of affording towards a knowledge of local customs and institutions, in the midst of which our forefathers lived and died, and which have given

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birth to the political and social characteristics of the present century.

Unnoticed records, such as these, supply the slender rills which serve to enrich and complete the broad stream of national history.

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APPENDIX.

Abstract of the Shaftesbury Charters of Feoffment.

Abbreviations: c.=close, g.=garden, gr.=grants, m.=messuage, p.=parish, qt.=quitclaims, t.=tenement, N.=North, S.=South, E.=East, W.=West, S.=Shaftesbury, W.=Witnesses.

1. Peter Herdyng gr. to John de Londone a t., betw. meadow, late Wm. Herding's, and Wm. Anketil's land, in S. James's p. W. Wm. Anketil, Rog. Luffe, Rd. Kynem'e, Pet. Selewode, John Coude, John le hunte, Rd. le Palme'. At S., Sunday after S. Clement's day, 5 Edw. III.

2. Will of Alice atte Hall, 1348. See *ante*, p. 40.

3. Alice Shepes, widow, late wife of Robt. Bolyote, qt. to Nich. Herding her right in a c. called Estehegh, next a c., late Robt. Axetel's, called Esthey, & a c., late Wm. Luffe's, called Gerc'ehey. W. John de Wyke, Robt. de ffouente, Ad. Maudict, Thos. le Goldsmyth, John Luffe, Pet. Swyft, K.'s Bailiff. At S., Sunday after Invent. H. Cross, 24 Edw. III.

4. Edw. Nichole gr. to John Tonprest' a m., next a t., late Ph. le Wite's; also two cottages next t., late John Witemersh's in Pallyngeslane, all in S. Laurence's p. W. John Payn, John Haselmer', Nich. H'dyng, John Ailron. At S., Friday after Pentecost, 25 Edw. III.

5. Nich. Hardyng of S. gr. to John H., his brother, a m., (legacy from his father Wm. H.), next Goldhulle, betw. ts. of Sir Wm. Haytement, Rector of S. Peter's, and of John Payn, on one side, and t. of Thos. Virgo, on the other, in S. Peter's p. W. Walt. de Hanlegh, John de Wyke, Robt. de ffouente, John Payn, Thos. Virgo, John de Haselmere, Mayor, Walt. Bron, K.'s Bailiff, Nich. Thomere and Rd. Kynemere, Constables. At S., Sunday in feast of Annunciation, 26 Edw. III.

6. John Payn qt. to Thos. Hogyn, Alice his wife, and Reginald their son, all right in his t., betw. t. of Alan de Caneford and S. Peter's Church, of which the said T., &c., are tenants for life. W. Walt. de Hanlegh, John de Wike, John Haselmere, John Pyion, Nich. Hardyng, Robt. de ffouente, Mayor, John Harding, K.'s Bailiff. At S., Sunday after Nat. B.V.M., 29 Edw. III.

7. John Payn of S. and Joan his wife, ex'rs of will of John Istmond of S., qt. to Nich. Thomer, all right in a t., betw. t. of Alan de Caneforde and S. Peter's Church, which he had by their grant. W. Thos. Virgo, Mayor, Robt. le Degher, K.'s Bailiff, John Wyke, Wm. Arondel, John Pyion, Nich. Hardyng, Robt. de ffouente, John de Haselmer', Walt. Bron. At S., Friday after S. Barnabas' Day, 34 Edw. III.

8. Nich. Tomere gr. to Henry Grey *dictus* Hastiler' and Alice his wife, for their lives, the m. (in No. 7) reserving a chamber and stable, (see p. 37) at a rent of 13s. 4d. W. Thos. Virgo, Mayor, John Wyke, Robt. ffouente, John Charnehous, Robt. Deghere, K.'s Bailiff. At. S., Monday after Assump. B.V.M., 34 Edw. III.

9. A duplicate of the preceding indenture.

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10. Nicholas Thomer', son and heir of Rd. de Thomere, gr. to Henry Hasteler of S., the t. above named. W. John Wyke, Mayor, John Pyion, Wm. Arondel, John Haselmer', Pet. Gonde. At S., Tuesday before Nat. B.V.M., 35 Edw. III.

11. Wm. Hog, chaplain, gr. to Nich. Hardyng, a m. with cellar, betw. John Cysel's t. on E., and Scotslane on W., next t. of said Nich. on S. Also a place betw. the t. of said Nich., and the said cellar, 14ft. long and 8 broad, in S. Laurence's p. W. Edward Leance, Mayor, Pet. Gonde, John Haselmere, John Hardyng, John Voke, Thos. Cammel, Hen. Hardyng, Rog. Pyion, Wm. Wilde, K.'s Bailiff. At S., Easter Eve, 3 Rd. II.

12. John Tonprest of S. gr. to Robt. Vode and Cristine his wife, a t. betw. John Gwoch's late m. on S., and Robt. Tyncker's late m. on E., in S. Laurence's p. W. Rd. Payn, Mayor, Thos. Seward, Nich. Hardyne, John Haselm', Roger Pyion, Simon ——, Rd. Goldsmhyt, K.'s Bailiff. At S., —day before Conv. S. Paul, 7 (?) Rd. II.

13. Agnes Willys, widow, wife of late Thos. Hogyn, boucher, of S., gr. to Thos. Gopyl, baker, of S., a garden in the S. part of Coppestrete, in S. Martin's p., betw. garden of the House of S. John Bapt. on W., and cottage of Pet. Taylo' on E. W. Robt. Pope, Mayor, Robt. fflete and John Voke, K.'s Coroners, Nich. Gore and Giles Wynchecoumbe, Constables, Thos. Hervy *dictus* Gott, K.'s Bailiff, Adam Bertulince. At S., Thursday before S. Barnabas Day, 11 Rd. II.

14. Agnes Wyllis of S. gr. to Walt. Byere and Alice his wife, a garden in S. part of Copstret, and garden of Robt. Prechour in W. part, in S. Martin's p. W. Thos. Cammel, Mayor, Pet. Gonde, Thos. Stalbrigge, John Haselmere, Nich. Brasyete', Adam Danyel, John Cokerel, sen., Pet. Cambo. At S., Tuesday after feast of S. Maurus, Abbot, 16 Rd. II.

15. Walter Biere and John Cockerell, sen., qt. to Robt. Culpek, &c. See p. 37. At S., 20 Apl., 21 Rd. II.

16. Thomas Hatte, (son and heir of John H. of Semlegh), and Edith his wife, gr. to Hugh Lyngynere of S. and Amice his wife, a c. called Esthayes, betw. land of Robt. Knyght of Mershe and the common pasture called Gyesmersch, in S. James's p., for 8 years, at the rent of a rose at S. John Bapt. day. W. Thos. Camel, Mayor, Adam Daniel, John Kokerell, sen., Nich. Voke, Pet. Cambo, Reginald Hogyn, K.'s Bailiff. At S., Sunday in feast of SS. Philip and James, 2 Hen. IV.

17. John Byen, merchant, of S., gr. to John Drake 2 cottages in Wodehewereslane, betw. Wm. Wodehewere's late t. on S., and cottage of Robt. ffrye on N., in S. Laurence's p. W. Thos. Haselmere, Mayor, Thos. Cammell, Walt. Byer, John Kynmere, John Bawdewyn, K.'s Bailiff. At S., Tuesday in Nat. Dni, 2 Hen. V.

18. John Byen qt. the same to the same, 7 Jany., 2 Hen. V.

19. Nich. Nott, of Bourchalke, gr. to John Nott, his son, of Stoke Verdun, a Burgage in E. part of S. Laurence Lane, betw. Reginald Hogyn's burgage on S., and Roger Pyion's cottage on N., in S. Laur. p. W. Hugh Croxale, Mayor, Thos. Hatt, Wm. Smyth, Henry Mayne, Wm. Morton, *locum tenens* of Rd. Bradewey, K.'s Bailiff. At S., 2 Feb., 3 Hen. V.

20. John Nott, of Stoke Verdun, gr. the same to Rd. ffowhell, of Shaston. W., as above, but Thos. Cammel in place of Henry Mayne. At S., 4 June, 4 Hen. V.

21. John Nott qt. the same to the same. W. as in No. 20. At S., 15 June, 4 Hen. V.

22. John Bremeley, of Motcumbe, qt. to John Warwick of M., Webbe, all right in a t., in S. Laurence's p., betw. t. of Robt. Squybbe, on W., and a vacant place of the King's, on E. W. John Bien, Mayor, Thos. Hatt, Wm. Smyth, John Squyer, Rog. Pyion, jun., K.'s Bailiff. At S., Tuesday in feast of S. Valentine, 6 Hen. V.

23. John Warwyck of Motcumbe, Webbe, son and heir of Matilda Weres, late wife of Robt. ffode of M., gr. to Rd. Vowell of S. the t. (named in 22). W. as in last. At S., Tuesday after S. Gregory's day, 6 Hen. V.

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24. Walt. Swyft, s. of Wm. S. of S. gr. to Thos. Haselmere of S., a t. in S. Laurence's p., betw. John Lussh's late t., in which Nich. Smyth dwells, on W., and a cottage of John Couland, on E. W. John Bien, Mayor, Thos. Hatte, Robt. Wilkyns, Wm. Whatyndene, John Taylor *alias* M'cere, K.'s Bailiff. At S., 20 June, 4 Hen. VI.

25. Rd. ffoughell, of Shirbo'ne, gr. to Wm. Ocle of S., clerk, [R. of S. Laurence, 1419-32], and John ffore, a t. (as in 21) betw. t. of Reg. Hogyn on N., and t. of John Wytem'ssh on S. W. John Bien, Mayor, Thos. Hatte, Thos. Haselme', John Squyer, Wm. Cole, K.'s Bailiff. At S., Monday before Nat. S. John Bapt., 5 Hen. VI.

26. Wm. Ocle of S., clerk, and John ffore, gr. the same to Rd. Voughell of Shirborne and Alice his wife. W. The same as in 25. At S., Monday after S. Laurence's day, 5 Hen. VI.

27. The same as the last. Voughell is spelt ffoughell.

28. Thos. Haselmere of S. qt. to Alice Ryche, wife of John R. of S., all right in the t. (No. 24). W. Wm. Morton, Mayor, Thos. Hatte, Thos. Wyse Drape, John Squyer, Robt. Drape, K.'s Bailiff. At S., Saturday after S. Luke's day, 7 Hen. VI.

29. Robt. Ro, son of Wm. Ro and ffyviane his wife, gr. to John Pille of S., and Agnes, his wife, his ts. and gardens, [near] ffordmere, in S. Laurence's p., betw. Thos. Helyer's garden, on W., and —— Gille's garden on E., given him by Wm, and ffyv. Ro. W. Wm. Morton, Mayor, John Bien, Thos. Hatte, Thos. Haselme', Robt. Drape, K.'s Bailiff. At S., Thursday —— Michaelmas, 8 Hen. VI.

30. John Bere, of Shreueton, and Robt. P'cy, of S., gr. to John Coyffar, of Blaneford, tanner, and Alice his wife, a t. on Goldhulle, betw. Robt. Culpek's late t., on N., and t. late of Wm. Whyot *alias* Barbo', on S., which they lately had by the gift of John Coyffar. W. Thos. Wyse, Mayor, John Bien, Thos. Hatte, Thos. Haselmer, Rd. Voke, K.'s Bailiff. At S., Monday after S. Faith's Day, 8 Hen. VI.

31. Thos. Stybbe of S., Carpynter, gr. to Thos. Renge' of S., and Thomasie his wife, a parcel of land taken from his garden, betw. Wm. Chalke's late garden, on S., and his own, on N., in S. Laurence's p., 30ft. broad by 60ft. long. W. Thos. Wyse, Mayor, John Bien, Thos. Haselme', John Squyer, Rd. Voke, K.'s Bailiff. At S., Monday after Purif. B.V.M., 8 Hen. VI.

32. Joan Groundewell gr. to Walter her son, and Cristine his wife, a g. in Coppestrete, betw. John Strang's g. on E., and Roger Conyng's g. on W., for their lives, (at a rent of ½d. to the Abbess of S.) and after their death to Margaret Wodelef. W. Wm. Morton, Robt. Wylkynes, Wm. Cole, John Squyer', Thos. Hatte. 8 July, 8 Hen. VI.

33. John Bawdewyn qt. to John Pylle and Agnes, his wife, all right in a curtilage, betw. the K.'s way towards Hyndon, on S., and a c. of Walt. Nywman, on N., and a curtilage of said John Pylle, on W., and a lane to Mottecombe, on E. Monday before Purif. B.V.M., 11 Hen. VI.

34. Will of Isabella Hullyng, 1442. See p. 41.

35. John Adam, and Edith his wife, gr. to John Cockes Tonker, of Melbury, a toft in S. Martin's p. betw. John Plumber's t., on E., and t. of Jas. Green, chaplain, on W. W. John Silley, Mayor, Robt. Hymerford, Esq., Wm. Cole, Wm. Burley, Robt. Boddenham, John ffaux, K.'s Bailiff. At S., 9 Feby., 20 Hen. VI.

36. Thos. Bolt, of Motcombe, gr. to John Boclyf, of Mere, a t. on Goldhull, betw. Walter Bere's late t. on N., and Rd. Lyngyn'e's on S., which he had of John Swyft, of New Sarum, and Cristine his wife. W. John Sillegh, Mayor, Robt. Wilkyns, Robt. Watercombe, John Mercer, John ffaukes, *locum tenens* of Wm. Burges, K.'s Bailiff. Saturday, Morrow of Exalt. of H. Cross, 21 Hen. VI.

37. Rd. Gater, of Wynchester, qt. to Thos. Bolt, all right in the premises (No. 36). Friday in feast of Exalt. H. Cross, 21 Hen. VI.

38. John Morton, of Milborn Andrew, leases to John Hulling of S., carpenter, a toft betw. John H.'s t., on E., and Pewke Lane on W., in S. Laurence's

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p., for 40 years, at 2s. rent. **W.** Wm. Cole, Mayor, John Sqvye', Thos. Haselme', Rog. Penne, John ffaukys, K.'s Bailiff. At **S.**, Saturday in Michaelmas, 21 Hen. VI.

39. Alice Ryche, wife of John R., gr. to Wm. Sendale, and Alice, his wife, her daughter, the t. (in No. 28). **W.** Robt. Bodenham, Esq., Mayor, Wm. Burley, John ffylly, Robt. Wylkyns, Wm. Cole, John Squyer, Ralph Pakker. At **S.**, Monday, 1 Apl., 21 Hen. VI.

40. Alice Ryche constitutes John Cokkes of **S.**, her attorney, to deliver seisin of the premises. Same date.

41. John Ryche of **S.**, qt. to Wm. Sendale and Alice his wife, all right in the premises. **W.** Robt. Bodenham, Mayor, Wm. Burley, Roger Pennie, John ffylly, Steph. Hiwode, Thos. Sendale. At **S.**, Sunday 7 Apl., 21 Hen. VI.

42. John Belle, of Brystoll, clerk, and John Hans of the same, goldsmyth, gr. to Wm. Burleygh, John Sillegh, John Potecary, Robt. Watercombe, John Brytte, Wm. Spycer', Robt. Deyegher, and Walt. Janyn, Kylpekesplace on Goldhull. See p. 36. **W.** Wm. Matthu, Mayor, Robt. Serle, John Rog', Coroners, Rd. Brasier, John Brocway. 4 June, 22 Hen. VI.

43. Grant by the same to the same, stating the conditions. See p. 37. At **S.** Same date.

44. Joan, widow of John Kylpeke, qt. to the same all right in the premises. **W.** Wm. Matthu, Mayor, Wm. Cole, Rog. Penne, John Squyer, Philipp Best. 5 June, 22 Hen. VI.

45. Henry Salte, of Sedghull, qt. to Emmote, late wife of Thos. Stybbes, of **S.**, all right in a t. with 2 gs., in S. Laurence's p., betw. t. of John Strody, on N., and t. of John Smyth Chepman, on S., late t. of Wm. Chalke. **W.** Thos. Haselm'e, John Stybbe, John Kynge, Henry Kynge, Nich. Dawe. At Sedghull, 10 Oct., 23 Hen. VI.

46. Nich. Thorn, *alias* atte Noke, of Stoure Estow'e, gr. to Robt. Hymerford, John Brytte, Wm. Porter, and John Cokkes *alias* Tonker, a m. betw. Wm. Burges's t. on W., and Millelane on E., in S. Peter's p., and also a c. of meadow, betw. Smalelane on E., and Roger Pottesham's c. on W., in S. Laurence's p.—which the grantor had of Wm. Burleigh and John Mercer *alias* Potecary. **W.** Rog. Penne, Mayor, John Cokkes Boucher, John Whyte, Coroner, Walt. Selk and Philip Godman, Constables, John Trotte, K.'s Bailiff, John Brocway. At **S.**, 13 Nov., 25 Hen. VI.

47. A quitclaim from the same to the same. **W.** Rog. Penne, Mayor, Robt. Bavent, Robt. Watircombe, Philip Best, Wm. Spycer. At **S.**, 20 Nov., 25 Hen. VI.

48. John Gille and Matilda, his wife, qt. to John Hoore of **S.**, and Agnes his wife, and to Wm., son of the same, all right in a t., next a spring called Peryshers, betw. a t. of the Prioress of the Conventual House of **S.**, on E., and Wm. Morton's late c., on W., in S. James's p. **W.** Roger Penne, Mayor, Wm. Burleygh, John Potecary, John Squyer, John Sillegh, Wm. Matthu. At **S.**, 24 Apl., 25 Hen. VI.

49. Joan Gore, widow, d. and h. of Nich. Gore, qt. to John Cokkes, *alias* Tonker, all right in a m. and close (in No. 46). **W.** Rog. Pyion, John Sillegh, Wm. Matthu, John Squyer, John Brytte. At **S.**, last of May, 25 Hen. VI.

50. John Cokkes, *alias* Tonker, gr. to Rd. Boteler and Alice, his wife, the m. (but not the c.) named in 49. **W.** Rog. Penne, Mayor, Walt. Selk and Philip Godman, Constables, John Trotte, K.'s Bailiff, John Boneclyf. At **S.**, 18 July, 25 Hen. VI.

51. Robert Watircombe and Agnes his wife, relict of Walter Biere, gr. to John Wynnyngham, clerk, a curtilage or g. in Copstrete, p. of S. Martin, betw. curtilage of John Plomer on E., and curtilage of sd. John Wynnyngham, belonging to the Hospital of S. John in Shaftesbury, which Agnes had as the legacy of Walter her husband. **W.** John Blanford, Mayor, Rd. Percy, Phil. Godman, Constables, John Holcombe, deputy of John Byrche, K.'s Bailiff, Walt. Selk. At **S.**, 11 Dec., 29 Hen. VI.

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52. John Whytemerssh qt. to John Squyer all right in 2 cottages with curtilages in Wodehewereslane, betw. t. of Ph. Godman on S., and curtilage late of Sir John Hody Knt., on N., in p. of S. Lawrence, which sd. John S. and Joane his wife, deceased, had by gift of John Drake. **W.** Wm. Matthu, Mayor, Wm. ffyssh, John Petipace, Coroners, Rd. Persy, Ph. Godman, Constables, John Thornhull, K.'s Bailiff, John Cokkes. At S., Sat. after Michaelmas, 30 Hen. VI.

53. John Squyer gr. to Ph. Godman and Edith his wife, the cottages [above named], at a rent of 2 silver farthings, to be paid yearly to the K.'s Bailiff, on S. Martin's day. **W.** Wm. Matthew, Mayor, Wm. ffyssh, John Petipace, Coroners, Rd. Persy, Constable, John Thornhull, K.'s Bailiff. At S., 5 Oct., 30 Hen. VI.

54. John Squyer qt. all right in the same to Ph. and Edith Godman. **W.** Wm. Matthew, Mayor, John Blanford, Wm. Burley, John Potecary, John Sylby. At S., 15 Oct., 30 Hen. VI.

55. Thomas Silke gr. to Walter Silke, his brother, a m. in p. of S. Laurence, betw. John Lussh's t. on W., and John Coulond's cottage, on E., in Berton St.. which T. S. acquired of Wm. Sandale and Alice, his wife. **W.** Ph. Godman, Mayor, John Swypston and John Petipace, Constables, John Whitenow, deputy of John Chyn'ell, K.'s Bailiff, Thos. Hillyng. At S., Last of April, 34 Hen. VI.

56. Thos. Wytham, clerk, gr. to Ralph Heende, clerk, Wm. Spycer, John atte Rigge, John Brokway, John Cosyn, John Swypston, John Crouch, Nich. Legge, and John Shoil, mercer, a m. or fulling mill, which he lately had with Wm. Burley, deceased, by the name of 5 acres of land, 9 a. of meadow, 20 a. of pasture in Canne and Melbury, by gr. of John Merser and Alice his wife, by final concord made at Westm., before John Jnyn, and other Justices of the King. **W.** James Brown', John Serle, Wm. Brokway, John Penne, Wm. Mathew, jun. At S., 12 July, 37 Hen. VI.

57. Thos. Wytham, clerk, appoints John Trot and Nich. Smyth, his attorneys, to give seisin of the premises. 12 July, 37 Hen. VI.

58. Richard Boteler gr. to Nich Legge and John Hore a m. in S. Peter's p., betw. a t. late Wm. Burges's on W., and a house formerly the lane called Millelane on E., which R. B., and Alice his now wife, together lately had by gr. of John Cokkes *alias* Tonker. **W.** John Crouche, Mayor, John Swypston, John Penne, Constables, John Rike, K.'s Bailiff, Wm. Mathew, junr. At S., 19 July, 2 Edw. IV.

59. John Boclyf qt. to Walter Bakeber, Esq., Wm. Ayssh, Wm. Spycer, John Brokway, John Crouch, John Shoil, mercer, John Hore, Nich. Legge, and John Wodeward, all right in a m. betw. John Pole's t. on S., and Ralph Biere's t. on N., *iuxta viam regiam pendentem vocat' Goldhull*, in S. Peters' p., which they lately had by his grant. Last of Novr., 2 Edw. IV.

60. John Spycer, senr., son and heir of Wm. Spycer, deceased, who had been the surviving feoffee named in No. 42, gr. to Walt. Bakeber, Esq., John Crouche, Wm. Brokway. Rd. Godewyn, John Shoil, mercer, John Cosyn, John Whitenow, John Trotte, Nich. Smyth, and Wm. Chafin, Kylpekesplace on Goldhull, in S. Peter's p., between a certain processional way of the said p. on N., and John Wyche's t. on S., and appoints John Brokway, John Swypston and Wm. Stone, his attorneys to deliver seisin of the same, and warrants the said t. against the Abbot of the Monastery of S. Alban's. **W.** Ph. Godman, Mayor, John Blanford, John Serle, Wm. Mathew, senr., Wm. Ayssh, Nich. Legge. Feast of S. Matthew, 3 Edw. IV.

61. Nich. Legge gr. to Walt. Bakeber, Esq., Wm. Ayssh, John Brokway, John Crouche, Rd. Godewyn, John Shoil, mercer, John Hore, John Spyser, and John Wodeward, a curtilage called Weyleshey, betw. the c. of the Prior of Ivychurch, called les Clyves, and a c. of the Hospital of S. John of Shirbourn, called les Clyves, on S., and a curtilage of John Rike, on N., and a curtilage of John Savage, called Knappes halle, on E., in S. Martin's p., which *inter alia* he had of Rd. Warhm., to find a lamp, &c. See p. 40. **W.** John Blanford, John Serle, Oliver Barton, John Swypston, John Bice. At S., 23rd May, 4 Edw. IV.

62. Nich. Legge qt. the same to the same. 25th May, 4 Edw. IV.

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63. Phil. Godman gr. to Rd. Somers and Joane his wife, a horse mill in Millane, S. Laurence's p., betw. cottage of John Wer' on S., and g. of Wm. Hody on N., and also a c. in said p., betw. Elene Penne's c. on N., and the King's road to Hyndon on S. W. John Swypston, Mayor, Walt. Bakber', Robt. Chamberlayn and John Botyler, Constables, Thos. Percy, deputy of John Carent, Esq., K.'s Bailiff. At S., 5th Dec., 14 Edw. IV.

64. Walter Bakebere, Mayor, and John Botyler and Thos. Tourges, wardens of the Common Rent, release to Robt. Payn, gent., the office of Bailiff in the Borough. At S., 10th Sept., 22 Edw. IV.

65. John Crowch and John Shoil, mercer, gr. to Sir Wm. Hody, Knt., Chief Baron of the Exchequer, Mr. John Raynold, clerk, John Caron, John Brokway, Stephen ffry, John Glewe, Wm. Konyng, Walt. Smyth, John Mathu, and Wm. Shoil, the fulling mill, (see No. 56) which, with the others named (in 56) they had by the grant of John Mercer and Alice his wife, now deceased, and warrant the same against the Abbot of Westminster. W. Wm. Stone, Mayor, John Blanford, Edmund Yenbroke. At S., 7th Oct., 6 Hen. VII.

66. John Crowch and John Shoil, mercer, appoint John Blanford and Wm. Skynner their attorneys, to deliver seisin of the same. 7th Oct., 6 Hen. VII.

67. John Botiler of S. gr. to Wm. Ketilton, clerk, Mr. John Osplete, clerk, Ralph Bury, clerk, Steph. ffrye, and Walt. Thorner, a m. in S. Peter's p., betw. t. late of Wm. Burgeis and now of Robt. Henton, on W., and a house formerly Millane on E., which he had of his father, Rd. Botiler, and appoints John Wykes and John Genkins his attorneys to deliver seisin. W. Galfrid Tolchard, Mayor, Pet. Bannfeld, Esq., Wm. Wykes, Wm. Mathewe, Wm. Stone, John Glewe, Edw. Petite, Robt. Wilkyns, Wm. Crenaye, Wm. Vssher. At S., 5th May, 9 Hen. VII.

68. John Botiler qt. the same. W. Pet. Bannfeld, Esq., Wm. Wikes, Wm. Stone, Wm. Mathewe, John Glewe, Edw. Petite, Wm. Conyn. At S., 16 May, 9 Hen. VII.

69. The Grantees named in No. 67 gr. the premises to Galfrid Tolchard, John Glewe, Wm. Conyn, Rd. Pulman, and Walter Gill. W. Thos. Burges, Mayor, Wm. Twynyho, Pet. Bannfeld, Roger Twynho, Esquires, Wm. Wykes, Wm. Mathewe, Wm. Stone, Thos. Percy. At S., 3rd Apl., 10 Hen. VII.

70. Quitclaim by the same. The same witnesses. At S., 11th Apl., 10 Hen. VII.

71. Wm. Anketill qt. to Wm. Twineho, Esq., John Brokway, John ——, —— Wikes, Walt. Turges, Galfrid Tolchard, Edw. Peti, Walt. Smith, John Mathewe, Wm. Conyng, and Walt. ——, all right in a quantity of land, with stone walls, in S. Peter's p., betw. the Gild Hall on E., the —— of the Abbess on W., the stable of the Chantry of S. Anne, on N. W. Thos. Percy, Wm. Mathew, Wm. Stone, Thos. Turges, John Boteler. At S., 21st Sept., 12 Hen. VII.

72. Thos. Percy, Mayor, John Browne and John Mathewe, Wardens of the Common Rent, release to Walter Baggeber the office of K.'s Bailiff. 24th Aug., 15 Hen. VII.

73. Roger Carpenter, of Hornyngesham, Wilts, gr. to John Blanford, John Matthewe, John Budell, and John Guyan of S., a t., situate next a spring called Perishers, betw. a t. of the Prioress of the Conventual house of the Monastery of S., on E., and a c. late of Wm. Morton, on W., in S. James's p., which he, R. C., with his wife Edith, lately deceased, together had from John Hoore, by a charter of feoffment, S. Gregory's day, 6 Hen. VII. W. Galfrid Tolchard, Mayor, Steph. Payne, Esq., Wm. Matthew, Wm. Konyng, Edw. Vynyng, K.'s Bailiff. 4th June, 16 Hen. VII.

74. Robt. Laurence, Citezine and Draper of London, and Margaret, his wyf, sell to Wm. Ketylton, p'son of the p'isshe Churche of S. Petyr, clerk, two ms. next Goldhill, in the said p., which Wm. Osworth and John Durant late inhabited, for £7 sterling at the date of this indenture, and £3 at Michaelmas following. 28th May, 22 Hen. VII.

75. Robt. and Margaret Laurence, aforesaid, gr. to John Byggs, Vicar of Tysbery, John Mathewe, mercer, Walt. Gylle, Inneholder, Math. Pyry, Inne-

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holder, and Rd. Henbury, mercer, the said premises, to the use of Wm. Kelyton, clerk, and constitute John Petyr, mercer, and Geo. ffryth, their attorneys to deliver seisin. 8th June, 22 Hen. VII.

76. Quitclaim of these premises by the same to the same. 20th June, 22 Hen. VII.

77. Letters of administration of the will of Master Wm. Ketilton, clerk, late of Dioc. of Coventry and Lichfield, decd, granted to John Mathewe and Math. Perye. P.C.C., 19th Apl., 1510.

78. John Glewe of S., baker, gr. to Thos. Andrewe of S., wever, and Agnes his wife, a t. and g., in Estestrete, in S. Martin's p., betw. tenements of the Abbess on either side. Sealed by John Holond, Mayor, at S., 23rd Dec., 2 Hen. VIII.

79. Quitclaim by John Glewe to the same. 3rd Jany., 2 Hen. VIII.

80. Wm. Wykes, of Mottecombe, gent., sells to Robt. Boure, the t. or inn, called Le Rame, with g. late in tenure of Wm. Hornesbowe, and a cottage, late in tenure of Eliz. Bordon, betw. t. of Rd. Elyott on S., and t. of Cristine Swayne on N., and appoints Thos. Eliott and John Brokway his attorneys, to deliver seisin. W. Thos. Percy, Mayor, Thos. Andrew and Rd. Henbery, Constables, John Mathew, Rd. Rencetter. At S., 3rd Mch, 5 Hen. VIII.

81. John Berter and John Bowring, Wardens of the Common Rent, lease to Wm. Keylwey of Marenhill, for his life, a shamble in the King's Market, (betw. that of Roger Yvemaye on N., and that of Robt. Bower on S.,) late in the tenure of Roger Yvemaye, at a yearly rent of 6s. 16th Jany., 21 Hen. VIII. W. Walter Horder, Mayor, Walt. Gyll, John Matthew, Robt. Bower, John Berter, John Bowryng.

82. Thos. Bayly and Wm. Keynell, Wardens of the Common Rent, lease to John Berter, the elder, draper, for his life, a t. of the Commons, in S. James's p., lying betw. a t. of my lady po-es, in the tenure of John Bryggs on the E., and a close of the Commons, in the tenure of Wm. Shoyle, at a yearly rent of 8s. At S., 15th Sept., 28 Hen. VIII.

83. Wm. Lovelacke and Peter Harys, Wardens or Procters of S. Peter's, lease to John Sommontoy of S., 2 adjoining ts., at Goldhull, betw. a t. of Mychell Kedwelly on E., the wall on the W., the street called Goldhill on N., and a t. of the Brethren of S. Gregory on S., for 41 years. 10th Dec., 29 Hen. VIII.

84. John Mathew of S., mercer, gr. to John Gapputh the fulling mill, &c., (see No. 65), which he had with Sir Wm. Hody, now deceased, &c., and appoints Wm. Nele al Byggs his attorney to deliver possession. W. Wm. Nele, John Senyor, Thos. Sheop'd, Thos. Jacobb. 16th Apl., 31 Hen. VIII.

85. John —— and John C——, Wardens of Common Rent, lease to Wm. Neld alias Biggs, for his life, a shamble in the King's Market, betw. shambles which Katerine Holwey holds, on W., and Xpofer Temple, on E., at an annual rent of 4s. — Sept., 33 Hen. VIII.

86. Edw. Clement of Langton, Dorset, gent., gr. to John Williams, all his ms., lands, rents in ffovent and ffountell, Wilts, and Lydlynche, Dorset, and those in Dorset, now held by Thos. Yong, and by Thos. Bayly, and a meadow in S. James's, S., which Cristian, wife of Thos. White, of Pole, lately held, and a meadow in S. Laurence's, S., which Eliz. Hawkyns holds, and a m. in S. Martin's, S., which Matilda Trowtkyll holds. 14th Mch., 34 Hen. VIII.

87. John Scryven, late of S., baker, qt. to John Wyllyams of Lanckton, Dorset, yeoman, all right in a toft or garden, in S. Laurence's, betw. t. of John Carpenter, decd, on S., and King's way, called Collman Lane on W., and g. of John Hayne on E., and t. of Etheldred Muston on N., which he, J.S., had of Edw. Browne als Clementt, gent. 20th Mch., 37 Hen. VIII.

88. John Perient, Knt., and Thos. Reve, gent., gr. to Thos. Boxley, an annual rent of 4d. issuing from lands of John *Marshall* als Potecarie, in occ. of Edw. Lusche, in Melbury and Can, *in S. Peter's Parish*, which had come into the King's hands by an Act for dissolving Chantries,—2½ acres of land in Sturmynster Marshall, to keep a lamp in the Church there, late occ. by Thos. Scovill,—parcel of a t. adjoining land of the Prince, on S., and of Rd. Bayllien, on N.,

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late occ. by Thos. Younge, in Sturminster Newton, to keep an anniversary there,—a m., g., orchard, and ½ acre of land in Wynt'borne and Charminster, late occ. by John and Robt. Stephens, belonging to Chantry of S Martin in Wynterborne Martin.

89. Wm. Mathewe, of Semelei, cousin and heir of John Mathewe, of. S., decd., gr. to John Bartor, Wm. Nele als Biggs, John Senior, John Ponde, Thos. Sheop'd, and Thos. Jacobbe, the fulling mill, &c., (No. 84), which descended to him after the death of J.M., and appoints John Vann' his attorney, to deliver possession. W. Henry Henberi, Thos. Balli, Wm. Love, Etheldred Muston, John Bowring, Hugh Lewis, John Vinsant, John Beamounte, Wm. Gautrell, John Haiene, John Vann', junr., John Jaques, Walter Jaques, John Plumton, John Terill, John Bullin. 20th July, 4 Edw. VI.

90. Wm. Mathew, of Semley, cousin and heir of John M., of S., weaver, decd., gr. to John ffewell, John Barter, John Pond, Wm. Neld, John Vynsent, John Raynoffe, two ms. (No. 74) which J.M., had by the will of Wm. Ketylton, R. of S. Peter's, and appoints John Senyor his attorney to give possession. W. John Gibbs al West, Thos. Mannsell. 3rd Nov., 4 Edw. VI.

91. A duplicate of the foregoing deed.

92. Thos. Boxley, of Wimborne Minster, gent., gr. to Edmund Bowre, gent., John Pond, Wm. Neld als Byggs, John ffuell, senr., John Beamond, John Senyor, Robt. Som'fyld, Robt. Bowre, John ffuell, junr., Walt. Beamond, Morgan Senyor, Giles Som'fyld, 2 ms. called the Lamb, in tenure of Edw. Wyllyams, in S. Peter's p., given to maintain the anniversary of Wm. Ketylton; the m. adjoining S. Peter's ch., in tenure of John Clement, given for the anniversary of John Kylpeke; and the m. called Kylpeck's place, in occ. of Edmund Lusche, in Melbury and Canne, for the anniversary of John M'ser *als* Potecarye,—all of which he purchased of Wm. Warde of London, gent., 14th July, 4 Edw. VI.—and appoints Henry Edmonds and John Raynoffe, his attorneys, to deliver possession. Sealed by Edmund Bowre, Mayor. Last of Sept., 4 and 5 Philip and Mary.

93. Mutilated copy of the same.

94. Joane, widow of Thos. Boxley, of Wimborne Minster, gent., in consideration of a marriage spoken of between her and Reginald Eliot of Ludwell, gr. to the latter 12 acres of land in Canne, with Common of pasture for 80 sheep in the Common fields there, occupied by Thos. Combe, which her late husband gave her by his will, dated 5th Oct., 1561,—and makes John Spyryng and Wm. Brockwaye, her attorneys, to deliver possession. 8 July, 4 Eliz.

95. Henry Williams, for a sum of £38, gr. to Clement Hiett, of Wimborne Minster, gent., 4 ms. in S., now in the occupation of the latter, in right of his wife, late wife of John Williams, deceased. W. John Harpur, John Shype, Edm. Pyke, Edm. Armestronge. 11th Feb., 5 Eliz.

96. Robt. Hill, of S., yeoman, and Humph. Jolliffe, of Dorchester, gent., gr. the Commons Lands to the Mayor and Burgesses of S., 4th Sept., 5 Jac. I., which they had received by grant of Rd. Valeis, gent., John Nicoles, John Chaldecott, Morgan Senyor, and Wm. Gatehowse, 14th Mch., 1 Jac. I. See p. 6.

97. Chas. Dirdo, gent., of S., who is jointly seized with John Kinge, of Sedgehill, Wilts, gent., in the Commons Lands of S., in trust for the Burgesses, releases his interest in them to the latter, that he may reconvey them acc. to the trust. 28th Feb., 1623.

98. Nicholas Cooper, Mayor, Wm. Whitaker, Recorder, John ffoyle, Esq., Rd. Hurman, Robt. Haskoll, Nich. Compton, Wm. Burleton, Christ. Weare, Wm. Hurman, Wm. Swetnam, lease to John Bennett, of S., tanner, a m., &c., in S. James's p., next Hollie Rood Mead, for 99 years, on payment of £40, and at an annual rent of 9s. 1½d. 10th Sept., 17 Car. I., 1641.

99 and 100. Thos. Hayward, of Acton, Middx., and Peter Hayward, of New Sarum, grocer, (son of Peter H., deceased), convey to Wm. Whitaker, Robt. Hascoll, Rd. Ryves, Wm. Burleton, a t. in S. Laurence's p., near the Poole, occ. by Ellys Swaine, Esq.,—a t. in S. Peter's p., and a t. in S. Martin's. — Oct., 2 Car. I.

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